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STATUTORY RULES OF NORTHERN IRELAND

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**1999 No. 428 (C. 32)**

**SOCIAL SECURITY**

**The Social Security (1998 Order) (Commencement  
No. 10 and Savings, Consequential and Transitional  
Provisions) Order (Northern Ireland) 1999**

*Made - - - - 15th October 1999*

The Department of Health and Social Services, in exercise of the powers conferred on it by Article 1(2) and (4) of the Social Security (Northern Ireland) Order 1998(1) and of all other powers enabling it in that behalf, hereby makes the following Order:

**Citation and interpretation**

1.—(1) This Order may be cited as the Social Security (1998 Order) (Commencement No. 10 and Savings, Consequential and Transitional Provisions) Order (Northern Ireland) 1999.

(2) In this Order “the Order” means the Social Security (Northern Ireland) Order 1998.

**Appointed day**

2. The day appointed for the coming into operation of—

- (a) Articles 32 and 34 of the Order; and
- (b) the provisions of the Order specified in Schedule 1, in so far as they are not already in operation, for the purposes of—
  - (i) attendance allowance, disability living allowance and invalid care allowance under Part III of the Contributions and Benefits Act,
  - (ii) jobseeker’s allowance under Part II of the Jobseekers Order and any sum payable under Article 28 of that Order,
  - (iii) decisions whether a person is entitled to be credited with earnings or contributions in accordance with regulations made under section 22(5) of the Contributions and Benefits Act, and
  - (iv) decisions whether a person was, within the meaning of regulations, precluded from regular employment by responsibilities at home,

is 18th October 1999.

## Commencement

3. This Article and Articles 4 to 17 shall come into operation on 18th October 1999.

## Savings

4. Notwithstanding the coming into operation of Article 39(3) of the Order or regulation 59 of the Social Security and Child Support (Decisions and Appeals) Regulations (Northern Ireland) 1999(2)—

- (a) sections 16 and 17 of the Administration Act;
- (b) sections 57 to 59 of, and Schedule 3 to, that Act as they relate to regulations made in relation to those sections; and
- (c) any regulations made under or in connection with the operation of any of those sections,

shall continue to have effect with respect to any decision made before 18th October 1999 by the Department under section 15 of that Act.

## Consequential Amendments

### Amendment of the Social Security (Claims and Payments) Regulations

5.—(1) The Social Security (Claims and Payments) Regulations (Northern Ireland) 1987(3) shall be amended in accordance with paragraphs (2) to (7).

(2) In regulation 2(1) (interpretation) after the definition of “the Jobseekers Order”(4) there shall be inserted the following definition—

““the 1998 Order” means the Social Security (Northern Ireland) Order 1998;”.

(3) In regulation 3(g)(5) (claims not required for entitlement to benefit in certain cases)—

- (a) in sub-paragraph (ii)—
  - (i) for “regulation 36(1A)” there shall be substituted “regulation 16(2) of the Social Security and Child Support (Decisions and Appeals) Regulations (Northern Ireland) 1999”, and
  - (ii) after “ought to be revised” there shall be inserted “under Article 10 of the 1998 Order or superseded under Article 11 of that Order”; and
- (b) in sub-paragraph (iv) after “revised” there shall be inserted “or superseded”.

(4) In regulation 13A(6) (advance award of disability living allowance)—

- (a) in paragraph (1) for “the adjudicating authority” and “that authority” there shall be substituted “the Department”; and
- (b) in paragraph (3) for “An award under paragraph (1) or (2) shall be reviewed by the adjudicating authority” there shall be substituted “A decision pursuant to paragraph (1) or (2) to award benefit may be revised under Article 10 of the 1998 Order”.

(5) In regulation 13C(7) (further claim for and award of disability living allowance)—

- (a) in paragraph (2) for “adjudicating authority” there shall be substituted “Department”; and

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(2) S.R. 1999 No. 162

(3) S.R. 1987 No. 465; relevant amending regulations are S.R. 1989 No. 398, S.R. 1991 No. 488, S.R. 1992 Nos. 7 and 83, S.R. 1993 Nos. 146, 149 and 375, S.R. 1994 Nos. 345 and 484, S.R. 1996 Nos. 85, 354 and 432 and S.R. 1998 Nos. 18 and 241

(4) The definition of “the Jobseekers Order” was inserted by regulation 2(2)(a) of S.R. 1996 No. 354

(5) Paragraph (g) was added by regulation 2(3) of S.R. 1996 No. 354

(6) Regulation 13A was inserted by regulation 7(1) of S.R. 1992 No. 7

(7) Regulation 13C was inserted by regulation 8 of S.R. 1992 No. 7

(b) in paragraph (3) for “An award under paragraph (2)(b) shall be reviewed by the adjudicating authority” there shall be substituted “A decision pursuant to paragraph (2)(b) to award benefit may be revised under Article 10 of the 1998 Order”.

(6) In regulation 26A(8) (jobseeker’s allowance) after “revised” in each place where it occurs there shall be inserted “or superseded”.

(7) In Schedule 2(9) (special provisions relating to claims for jobseeker’s allowance made during periods connected with public holidays), in paragraph 2(a) for “an adjudication officer” there shall be substituted “the Department”.

### **Amendment of the Social Security (Attendance Allowance) Regulations**

6.—(1) The Social Security (Attendance Allowance) Regulations (Northern Ireland) 1992(10) shall be amended in accordance with paragraphs (2) and (3).

(2) In regulation 2(1) (interpretation) after the definition of “the 1991 Order” there shall be inserted the following definition—

““the 1998 Order” means the Social Security (Northern Ireland) Order 1998;”.

(3) In—

(a) regulation 7A(2)(a)(11) (persons to whom regulations 7 and 8 apply with modifications), in paragraph (1A)(b) and (c); and

(b) regulation 8(4)(b) and (c)(12) (exemption from regulations 6 and 7),

for “review” there shall be substituted “revision under Article 10 of the 1998 Order or supersession under Article 11 of that Order”.

### **Amendment of the Social Security (Disability Living Allowance) Regulations**

7.—(1) The Social Security (Disability Living Allowance) Regulations (Northern Ireland) 1992(13) shall be amended in accordance with paragraphs (2) to (5).

(2) In regulation 1(2) (interpretation)—

(a) after the definition of “the 1991 Order” there shall be inserted the following definition—

““the 1998 Order” means the Social Security (Northern Ireland) Order 1998;”;  
and

(b) for the definition of “adjudicating authority”(14) there shall be substituted the following definition—

““adjudicating authority” means, as the case may require, the Department, an appeal tribunal to which there is a right of appeal pursuant to Article 13 of the 1998 Order or a Commissioner to whom an appeal lies under Article 15 of that Order;”.

(3) In regulation 2(3)(b) (conditions as to residence and presence in Northern Ireland) for “review” there shall be substituted “revision under Article 10 of the 1998 Order or supersession under Article 11 of that Order”.

(4) In—

(8) Regulation 26A was inserted by regulation 2(14) of S.R. 1996 No. 354 and amended by regulation 6(2) of S.R. 1998 No. 182

(9) Schedule 2 was amended by regulation 2(20) of S.R. 1996 No. 354

(10) S.R. 1992 No. 20; relevant amending regulations are S.R. 1993 No. 149, S.R. 1994 No. 263 and S.R. 1997 No. 355

(11) Regulation 7A was inserted by regulation 2(3) of S.R. 1994 No. 263

(12) Paragraph (4) was added by regulation 5(4)(b) of S.R. 1993 No. 149

(13) S.R. 1992 No. 32; relevant amending regulations are S.R. 1993 Nos. 149 and 340, S.R. 1994 No. 263 and S.R. 1996 Nos. 225 and 290

(14) The definition of “adjudicating authority” was substituted by regulation 2(2)(d) of S.R. 1993 No. 340

- (a) regulation 9A(2)(a)(**15**) (persons to whom regulations 9 and 10 apply with modifications), in paragraph (2A)(b) and (c);
- (b) regulation 10(6)(b) and (c)(**16**) (exemption from regulations 8 and 9); and
- (c) regulation 12B(9A)(b) and (c)(**17**) (exemption from regulation 12),

for “review” there shall be substituted “revision under Article 10 of the 1998 Order or supersession under Article 11 of that Order”.

(5) In Schedule 1 (persons aged 65 and over)—

- (a) in paragraph 1 (review of an award made before a person attained the age of 65)—
  - (i) in the heading for “Review” there shall be substituted “Revision or supersession”,
  - (ii) in sub-paragraph (1)(c)(**18**) for “in writing is made in accordance with section 28(7) or 33(4) of the Administration Act for that award to be reviewed” there shall be substituted “is made in accordance with Article 10 of the 1998 Order or Article 11 of that Order for that award to be revised or superseded”,
  - (iii) in sub-paragraph (1)(d) for “both reviewed and revised” there shall be substituted “revised or superseded”,
  - (iv) in sub-paragraph (2) for “revised award” there shall be substituted “revision or supersession”, and
  - (v) in sub-paragraph (3) “for review” shall be omitted and for “reviewed” there shall be substituted “superseded”;
- (b) in paragraph 2 (review of an award other than a review to which paragraph 1 refers)—
  - (i) for “review”, in each place where it occurs (including the heading), there shall be substituted “revision or supersession”, for “reviews” there shall be substituted “revisions or supersessions” and for “reviewed” where it first occurs there shall be substituted “revised or superseded”, and
  - (ii) in sub-paragraph (b) for “reviewed and revised” there shall be substituted “superseded”;
- (c) in paragraph 3 (persons aged 65 and over and entitled to the care component)—
  - (i) in sub-paragraph (1)(a)(**19**) for “revised on a review under section 28, 29 or 33 of the Administration Act” there shall be substituted “revised under Article 10 of the 1998 Order or superseded under Article 11 of that Order”, and
  - (ii) in sub-paragraph (2) for “under review” there shall be substituted “being revised or superseded”; and
- (d) in—
  - (i) paragraph 5(1)(a)(**20**) (persons aged 65 and over and entitled to the higher rate mobility component),
  - (ii) paragraph 6(1)(a) (persons aged 65 and over and entitled to the lower rate mobility component), and
  - (iii) paragraph 7(1)(a) (award of the care component where a person is entitled to the mobility component),

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(15) Regulation 9A was inserted by regulation 3(3) of S.R. [1994 No. 263](#)

(16) Paragraph (6) was added by regulation 4(3)(b) of S.R. [1993 No. 149](#)

(17) Regulation 12B was inserted by regulation 4(3) of S.R. [1996 No. 225](#) and paragraph (9A) was inserted by regulation 2(2) of S.R. [1996 No. 290](#)

(18) Sub-paragraph (1)(c) was amended by regulation 2(11)(a) of S.R. [1993 No. 340](#)

(19) Sub-paragraph (1)(a) was amended by regulation 2(11)(b) of S.R. [1993 No. 340](#)

(20) Paragraphs 5(1)(a), 6(1)(a) and 7(1)(a) were amended by regulation 2(11)(b) of S.R. [1993 No. 340](#)

for “revised on a review under section 28, 29 or 33 of the Administration Act” there shall be substituted “revised under Article 10 of the 1998 Order or superseded under Article 11 of that Order”.

### **Amendment of the Social Security (Incapacity for Work) (General) Regulations**

**8.**—(1) The Social Security (Incapacity for Work) (General) Regulations (Northern Ireland) 1995<sup>(21)</sup> shall be amended in accordance with paragraphs (2) and (3).

(2) In regulation 2(1) (interpretation) the definition of “disability appeal tribunal” shall be omitted.

(3) In regulation 17(1)(c) (exempt work)—

- (a) “a disability appeal tribunal or” shall be omitted; and
- (b) after “Board” there shall be inserted “or as a panel member with a disability qualification, as defined in regulation 1(2) of the Social Security and Child Support (Decisions and Appeals) Regulations (Northern Ireland) 1999, acting as a member of an appeal tribunal constituted under Article 8 of the Social Security (Northern Ireland) Order 1998”.

### **Amendment of the Jobseeker’s Allowance Regulations**

**9.**—(1) The Jobseeker’s Allowance Regulations (Northern Ireland) 1996<sup>(22)</sup> shall be amended in accordance with paragraphs (2) to (17).

(2) In regulation 1(2) (interpretation)—

- (a) after the definition of “the Registered Homes Order” there shall be inserted the following definition—

““the 1998 Order” means the Social Security (Northern Ireland) Order 1998;” and

- (b) after the definition of “date of claim” there shall be inserted the following definition—

““the Decisions and Appeals Regulations” means the Social Security and Child Support (Decisions and Appeals) Regulations (Northern Ireland) 1999;”.

(3) In—

- (a) regulation 31(g) (contents of jobseeker’s agreement);
- (b) regulation 35 (automatic back-dating of a jobseeker’s agreement);
- (c) regulation 39 (variation of agreement: matters to be taken into account);
- (d) regulation 70 (sanctions of discretionary length);
- (e) regulation 101(11) (calculation of net profit of self-employed earners);
- (f) regulation 139 (disregard of changes occurring during summer vacation); and
- (g) regulation 140 (meaning of “person in hardship”),

for “an adjudication officer”, in each place where it occurs, there shall be substituted “the Department”.

(4) In regulation 31(g)—

- (a) in sub-paragraph (ii) for “review” there shall be substituted “revision or supersession”; and
- (b) in sub-paragraph (iii)—
  - (i) for “a social security appeal tribunal” there shall be substituted “an appeal tribunal”, and

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<sup>(21)</sup> S.R. 1995 No. 41, to which there are amendments not relevant to this order

<sup>(22)</sup> S.R. 1996 No. 198; relevant amending regulations are S.R. 1997 Nos. 165 and 541 and S.R. 1998 No. 421

(ii) for “on a review” there shall be substituted “following a revision or supersession”.

(5) In—

- (a) regulation 32 (back-dating of a jobseeker’s agreement by an adjudication officer);
- (b) regulation 33 (notification of determinations and directions under Article 11 of the Order);
- (c) regulation 40 (notification of determinations and directions under Article 12 of the Order);
- (d) regulation 55(1)(b) (short periods of sickness);
- (e) regulation 94(9) (calculation of earnings derived from employed earner’s employment and income other than earnings);
- (f) regulation 99(5) (calculation of net earnings of employed earners);
- (g) regulation 101(13) (calculation of net profit of self-employed earners);
- (h) regulation 105(4), (12), (13)(**23**) and (16) (notional income);
- (i) regulation 140 (meaning of “person in hardship”);
- (j) regulation 141(3) (circumstances in which an income-based jobseeker’s allowance is payable to a person in hardship);
- (k) regulation 147(6)(b) (urgent cases);
- (l) Schedule 2 (housing costs), in paragraph 17(2) and (7)(a) (non-dependant deductions); and
- (m) Schedule 3 (applicable amounts of persons in residential care and nursing homes), in paragraph 9(3)(d) (circumstances in which the maximum is not to apply),

for “adjudication officer”, in each place where it occurs, there shall be substituted “Department”.

(6) In regulation 32—

- (a) in the heading “by an adjudication officer” shall be omitted; and
- (b) in paragraph (d) for “he considers” there shall be substituted “it considers”.

(7) In regulation 39 for “he considers” there shall be substituted “it considers”.

(8) In—

- (a) regulation 51(2)(b)(ii) (remunerative work);
- (b) regulation 104(1) (capital treated as income);
- (c) regulation 106(1) (modifications in respect of children and young persons);
- (d) regulation 111(b)(i) (calculation of capital in the United Kingdom); and
- (e) Schedule 2 (housing costs), in paragraphs 12(6) and 13(2)(a) (linking rule),

for “review” there shall be substituted “supersession”.

(9) In regulation 68(1) and (2)(**24**) (reduced amount of allowance) for “adjudication officer's” there shall be substituted “Department's”.

(10) In regulation 101(8)—

- (a) for “An adjudication officer” there shall be substituted “The Department”; and
- (b) for “he is not” there shall be substituted “it is not”.

(11) In regulation 105(12) (notional income) for “subsequent review” there shall be substituted “review or supersession”.

(12) In regulation 140(1)(g)(ii) for “his decision” there shall be substituted “its decision”.

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(23) Paragraph (13) was amended by regulation 13(1)(b) of S.R. 1998 No. 421

(24) Regulation 68(1) and (2) was amended by regulation 6 of S.R. 1997 No. 165

(13) In regulation 140A(1)(25) (period when a person is not a person in hardship) for “regulation 56A(6) of the Social Security (Adjudication) Regulations (Northern Ireland) 1995 (jobseeker’s allowance questions not immediately determinable)” there shall be substituted “regulation 7(8) of the Decisions and Appeals Regulations”.

(14) In regulation 141(5) for “regulation 36 of the Claims and Payments Regulations (suspension in individual cases)” there shall be inserted “regulation 16 of the Decisions and Appeals Regulations”.

(15) In—

(a) regulation 142(3) (further circumstances in which an income-based jobseeker’s allowance is payable to a person in hardship); and

(b) regulation 146(1)(a) (payments made on account of suspended benefit),

for “section 5(1)(o) of the Administration Act (suspension of benefit)” there shall be substituted “Article 21 of the 1998 Order”.

(16) In regulation 163(3) (calculation of earnings), in regulation 101 (calculation of earnings derived from work as a share fisherman)—

(a) in paragraph (9)—

(i) for “An adjudication officer” there shall be substituted “The Department”, and

(ii) for “he is not” there shall be substituted “it is not”;

(b) in paragraph (11)—

(i) for “an adjudication officer” there shall be substituted “the Department”, and

(ii) for “he considers” there shall be substituted “it considers”; and

(c) in paragraph (12) for “adjudication officer” there shall be substituted “Department”.

(17) In Schedule 2 (housing costs)—

(a) in paragraph 12(8)(b) (excessive housing costs) for “or review” there shall be substituted “, revision or supersession”; and

(b) in paragraph 13(1) (linking rule)—

(i) in head (a)(i) for “review” there shall be substituted “revision”, and

(ii) in head (b) for “or review” there shall be substituted “, revision or supersession”.

## Modifications

### Modification of the Social Security Benefit (Dependency) Regulations

**10.** The Social Security Benefit (Dependency) Regulations (Northern Ireland) 1977(26) shall have effect in relation to any benefit mentioned in Article 2(b)(i) and (ii) as if in regulation 1(2) (interpretation) for the definition of “the determining authority”(27) there were substituted the following definition—

““the determining authority” means, as the case may require, the Department, an appeal tribunal to which there is a right of appeal pursuant to Article 13 of the Social Security (Northern Ireland) Order 1998 or a Commissioner to whom an appeal lies under Article 15 of that Order;”.

(25) Regulation 140A was inserted by regulation 12 of S.R. 1997 No. 541

(26) S.R. 1997 No. 74; relevant amending regulations are S.R. 1984 No. 174

(27) The definition of “the determining authority” was substituted by regulation 8 of S.R. 1984 No. 174

## Modification of the Social Security (Claims and Payments) Regulations

11. The Social Security (Claims and Payments) Regulations (Northern Ireland) 1987 shall have effect in relation to any benefit mentioned in Article 2(b)(i) and (ii) as if—

- (a) in regulation 2(1) (interpretation)—
  - (i) the definition of “adjudicating authority” were omitted, and
  - (ii) in the definition of “claim for benefit” in paragraph (c) for “the review of an award or” in both places where it occurs there were substituted “a revision under Article 10 of the 1998 Order or supersession under Article 11 of that Order of”;
- (b) in regulation 13 (advance claims and awards)—
  - (i) in paragraph (1) for “the adjudicating authority” and “that authority” there were substituted “the Department”, and
  - (ii) in paragraph (2) for “An award under paragraph (1)(b) shall be reviewed by the adjudicating authority” there were substituted “A decision pursuant to paragraph (1) (b) to award benefit may be revised under Article 10 of the 1998 Order”;
- (c) in regulation 17(7) (duration of awards) “; and where those requirements are not satisfied the award shall be reviewed” were omitted;
- (d) in Part V (suspension and extinguishment)—
  - (i) in the heading “Suspension and”, and
  - (ii) regulations 36 to 36B(28) (suspension and withholding of benefit), were omitted;
- (e) in regulation 37(2A)(29) (extinguishment of right to payment of sums by way of benefit where payment is not obtained within the prescribed period)—
  - (i) for “adjudicating authority” in both places where it occurs there were substituted “Department”,
  - (ii) in sub-paragraph (a) for “the Department has” there were substituted “it”, and
  - (iii) in sub-paragraph (c) “the Department has certified” and “that”, in each place where it occurs, were omitted and, in head (ii), for “it” there were substituted “the Department”;
- (f) in Schedule 8A(30) (deductions from benefits and direct payment to third parties)—
  - (i) for “adjudicating authority” in each place where it occurs there were substituted “Department”, and
  - (ii) in paragraph 6(4) for “reviewed” there were substituted “revised or superseded”; and
- (g) in Schedule 8B(31) (deductions of mortgage interest from benefit and payment to qualifying lenders), in paragraph 3(1) (specified part of relevant benefit)—
  - (i) for “adjudicating authority” there were substituted “Department”, and
  - (ii) for “the Department” there were substituted “it”.

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(28) Regulations 36 to 36B were substituted for regulation 36 by regulation 7(9) of S.R. 1992 No. 83, regulation 36 was amended by regulation 3(8) of S.R. 1993 No. 375, regulation 2(17) of S.R. 1996 No. 354 and regulation 2(4) of S.R. 1996 No. 432, regulation 36A was substituted by regulation 2 of S.R. 1998 No. 241, regulations 36AA and 36AB were inserted by regulation 2(6) of S.R. 1994 No. 345 and regulation 36AA was amended by regulation 2(18) of S.R. 1996 No. 354 and regulation 2(5) of S.R. 1996 No. 432

(29) Paragraph (2A) was inserted by regulation 6(3) of S.R. 1989 No. 398 and amended by regulation 3(10) of S.R. 1993 No. 375

(30) Schedule 8A was inserted by S.R. 1988 No. 67; relevant amending regulations are S.R. 1991 No. 488, S.R. 1993 Nos. 146 and 149 and S.R. 1996 Nos. 354 and 432

(31) Schedule 8B was inserted by S.R. 1992 No. 271 and paragraph 3(1) was substituted by S.R. 1995 No. 301 and amended by S.R. 1996 No. 354

## **Modification of the Social Security (Payments on account, Overpayments and Recovery) Regulations**

12. The Social Security (Payments on account, Overpayments and Recovery) Regulations (Northern Ireland) 1988<sup>(32)</sup> shall have effect in relation to any benefit mentioned in Article 2(b) (i) and (ii) as if—

- (a) in regulation 1(2) (interpretation)—
  - (i) after the definition of “the Order” there were inserted the following definition—

““the 1998 Order” means the Social Security (Northern Ireland) Order 1998;”,  
and
  - (ii) for the definition of “adjudicating authority”<sup>(33)</sup> there were substituted the following definition—

““adjudicating authority” means, as the case may require, the Department, an appeal tribunal to which there is a right of appeal pursuant to Article 13 of the 1998 Order or a Commissioner to whom an appeal lies under Article 15 of that Order;”;
- (b) in regulation 2(1)(b) (making of interim payments) for “a reference, review,” there were substituted “an”;
- (c) in regulation 5(2) (offsetting prior payment against subsequent award)—
  - (i) for Case 1 there were substituted—

### **“Case 1: Payment pursuant to a decision which is revised, superseded or overturned on appeal**

Where a person has been paid a sum by way of benefit pursuant to a decision which is subsequently revised under Article 10 of the 1998 Order, superseded under Article 11 of that Order or overturned on appeal.”, and

- (ii) in Case 2 “, on review or appeal,” were omitted;
- (d) in regulation 8(2) (duplication and prescribed payments) for “on review” there were substituted “by way of revision or supersession”;
- (e) in the heading to Part VI “REVISION OF DETERMINATION AND” were omitted; and
- (f) in regulation 12 (circumstances in which determination need not be revised)—
  - (i) for “or revision of determination” there were substituted “, revision or supersession”,  
and
  - (ii) for “for reviewing and revising the determination under which payment was made” there were substituted “for the decision pursuant to which the payment was made to be revised under Article 10 of the 1998 Order or superseded under Article 11 of that Order”.

## **Modification of the Employment Protection (Recoupment of Jobseeker’s Allowance and Income Support) Regulations**

13. The Employment Protection (Recoupment of Jobseeker’s Allowance and Income Support) Regulations (Northern Ireland) 1996<sup>(34)</sup> shall have effect in relation to jobseeker’s allowance as if—

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<sup>(32)</sup> S.R. 1988 No. 142; relevant amending regulations are S.R. 1992 No. 6

<sup>(33)</sup> The definition of “adjudicating authority” was amended by regulation 14(2)(a) of S.R. 1992 No. 6

<sup>(34)</sup> S.R. 1996 No. 459

- (a) in regulation 2(1) (interpretation) after the definition of “the 1996 Order” there were inserted the following definition—

““the 1998 Order” means the Social Security (Northern Ireland) Order 1998;”;

- (b) in the heading to Part IV “AND REVIEW” were omitted; and
- (c) in regulation 10 (provisions relating to determination of amount paid by way of or as on account of benefit) for paragraphs (2) and (3) there were substituted the following paragraphs—

“(2) Where an employee has given notice in writing to the Department under paragraph (1) that he does not accept that an amount specified in the recoupment notice is correct, the Department shall decide the question as to the amount of jobseeker’s allowance paid in respect of the period to which the prescribed element is attributable or, as appropriate, in respect of so much of the protected period as falls before the date on which the employer complies with regulation 6.

(2A) The Department may revise, either on an application made for the purpose or on its own initiative, a decision under paragraph (2).

(2B) The employee shall have a right of appeal to an appeal tribunal constituted under Chapter I of Part II of the 1998 Order against a decision of the Department whether as originally made under paragraph (2) or as revised under paragraph (2A).

(2C) The Social Security and Child Support (Decisions and Appeals) Regulations (Northern Ireland) 1999 shall apply for the purposes of paragraphs (2A) and (2B) as if a decision of the Department under paragraph (2A) were made under Article 10 of the 1998 Order and any appeal under paragraph (2B) were made under Article 13 of that Order.

(3) Where the Department recovers too much money from an employer under these Regulations it shall pay to the employee an amount equal to the excess.”.

### **Modification of the Social Security (Back to Work Bonus) (No. 2) Regulations**

**14.** The Social Security (Back to Work Bonus) (No. 2) Regulations (Northern Ireland) 1996<sup>(35)</sup> shall have effect in relation to any sum to which a person may be entitled by virtue of his having been in receipt of a jobseeker’s allowance as if—

- (a) in—
- (i) regulation 5(4)(c)(ii) and (6) (periods of entitlement which do not qualify),
  - (ii) regulation 8(5)(b) (amount payable), and
  - (iii) regulation 25(1) (award of bonus),
- for “adjudication officer” there were substituted “Department”;
- (b) in regulation 8(4)(c) and (d) for “review” there were substituted “revision or supersession”; and
- (c) in regulation 9(2) (Department to issue estimates) for “upon the adjudication officer when he makes his” there were substituted “when it makes its”.

### **Modification of the Social Security Benefit (Computation of Earnings) Regulations**

**15.** The Social Security Benefit (Computation of Earnings) Regulations (Northern Ireland) 1996<sup>(36)</sup> shall have effect in relation to any benefit mentioned in Article 2(b)(i) and (ii) as if—

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<sup>(35)</sup> S.R. 1996 No. 519, to which there are amendments not relevant to this order

<sup>(36)</sup> S.R. 1996 No. 520, to which there are amendments not relevant to this order

- (a) subject to the following paragraphs, for “the adjudicating authority” and “an adjudicating authority” in each place where they occur there were substituted “the Department”;
- (b) in regulation 2(1) (interpretation)—
  - (i) after the definition of “the Employment Rights Order” there were inserted the following definition—

““the Order” means the Social Security (Northern Ireland) Order 1998;”, and
  - (ii) the definition of “adjudicating authority” were omitted;
- (c) in regulation 4 (notional earnings)—
  - (i) in paragraph (1) for “of the determination of the claim or of any subsequent review, the adjudicating authority shall treat the claimant” there were substituted “on which a decision falls to be made by the Department under Chapter II of Part II of the Order or regulations made thereunder, the claimant shall be treated”, and
  - (ii) in paragraph (2) for “the adjudicating authority shall treat the claimant” there were substituted “the claimant shall be treated”;
- (d) in regulation 6(8) (calculation of earnings of employed earners), in paragraph (b)(ii)(bb) of the definition of “part-time employment” for “of review” there were substituted “on which a revision or supersession of a decision falls to be made”;
- (e) in regulation 13(8) (calculation of net profit of self-employed earners) for “The adjudicating authority shall refuse to make a deduction” there were substituted “A deduction shall not be made” and for “it is not” there were substituted “the Department is not”;
- (f) in regulation 14(2) (deduction of tax and contributions for self-employed earners) for “of the determination of the claim or of any subsequent review” in both places where it occurs there were substituted “on which a decision is made by the Department under Chapter II of Part II of the Order or regulations made thereunder”; and
- (g) regulation 16 (transitional provision to suspend benefit and make interim payments) were omitted.

## Transitional Provisions and Revocations

### Transitional provisions

- 16.**—(1) Any decision which fell to be made, but was not made, before 18th October 1999—
- (a) on a claim for; or
  - (b) under or by virtue of Part II of the Administration Act in relation to,
- a relevant benefit (other than a decision which fell to be made on appeal) shall be made by the Department under Article 9(1)(a) or, as the case may be, (c) of the Order.
- (2) Any application made under Part II of the Administration Act for a review of a decision (other than a decision made on appeal) in relation to a relevant benefit which was not decided before 18th October 1999 shall be treated as an application to the Department—
- (a) where the application is made—
    - (i) within three months of the date of notification of the decision or such longer period as may be allowed under paragraph (4), and
    - (ii) other than on the grounds of a relevant change of circumstances, for a revision of that decision under Article 10 of the Order; or
  - (b) in any other case, for a decision under Article 11 of the Order superseding that decision.

(3) Any application made before 18th October 1999 under Part II of the Administration Act for a review of a decision made on appeal in relation to a relevant benefit shall be treated as an application to the Department for a decision under Article 11 of the Order superseding that decision.

(4) Subject to paragraphs (5) and (6), the period of three months specified in paragraph (2)(a) may be extended where the application is made before 18th November 2000 by a claimant or a person acting on his behalf, containing—

- (a) particulars of the grounds on which an extension of time is sought; and
- (b) sufficient details of the decision to enable it to be identified.

(5) An application for an extension of time shall not be granted unless the Department is satisfied that—

- (a) it is reasonable to grant the application;
- (b) the application for review has merit; and
- (c) special circumstances are relevant to the application for an extension of time and, as a result of those special circumstances, it was not practicable for the application for review to be made within three months of the date of notification of the decision which it is sought to have reviewed.

(6) In determining whether it is reasonable to grant an application for an extension of time, no account shall be taken of the following—

- (a) that the claimant or any person acting for him was unaware of or misunderstood the law applicable to his case (including ignorance or misunderstanding of the time limits imposed by paragraph (2)(a)); or
- (b) that a Commissioner (including a Commissioner within the meaning of section 39(1) of the Social Security Act 1998(37)) or a court has taken a different view of the law from that previously understood and applied.

(7) Where, by virtue of paragraph (2)(b) or (3)—

- (a) a decision made under Article 11 of the Order is advantageous to the claimant; and
- (b) the same decision could have been made on a review before 18th October 1999,

that decision shall take effect from the date on which it would have taken effect had the decision been so made.

(8) Notwithstanding regulation 7(9) of the Decisions and Appeals Regulations and subject to paragraph (7), where, in any case relating to attendance allowance or disability living allowance, a decision is made under Article 11 of the Order on the basis of a relevant change of circumstances which occurred before 18th October 1999 and that decision is advantageous to the claimant it shall take effect from—

- (a) where the decision is made on the Department's own initiative, the date of that decision;
- (b) in a case where the change is relevant to the question of entitlement to a particular rate of benefit and the claimant notifies the change before a date one month after he satisfies the conditions of entitlement to that rate or within such longer period as may be allowed under regulation 8 of the Decisions and Appeals Regulations, the first pay day (as specified in Schedule 6 to the Claims and Payments Regulations) after he satisfied those conditions;
- (c) in a case where the change is relevant to the question of whether benefit is payable and the claimant notifies the change before a date one month after the change or within such longer period as may be allowed under regulation 8 of the Decisions and Appeals Regulations, the first pay day (as specified in Schedule 6 to the Claims and Payments Regulations) after the change occurred; or

(d) in any other case, the date of the application for the superseding decision.

(9) Any decision (other than a decision of a social security appeal tribunal, a disability appeal tribunal, a medical appeal tribunal or a Commissioner) made before 18th October 1999—

(a) on a claim for; or

(b) under or by virtue of Part II of the Administration Act in relation to,

a relevant benefit, shall be treated as a decision of the Department under Article 9(1)(a) or, as the case may be, (c) of the Order.

(10) Where notice of a decision referred to in paragraph (9) was not given or sent to the claimant before 18th October 1999, the Department shall give or send notice of that decision to the claimant.

(11) Where, in relation to a relevant benefit—

(a) a decision was made before 18th October 1999; and

(b) the time limit within which an appeal may be made against that decision has not expired before that date,

notwithstanding regulation 59 of the Decisions and Appeals Regulations, regulation 3 of the Adjudication Regulations(38) as it relates to the time within which an appeal may be made, or any extension of that period, shall continue to apply in relation to any appeal, subject to the modifications specified in paragraph (12).

(12) Regulation 3 of the Adjudication Regulations shall have effect as if—

(a) references to a chairman or to a person considering the application were references to a legally qualified panel member;

(b) references to a tribunal were references to an appeal tribunal constituted under Article 8 of the Order; and

(c) in paragraph (3E)(39) for the words from “six years” to the end there were substituted “18th November 2000”.

(13) Notwithstanding regulation 3 of the Decisions and Appeals Regulations, a decision made before 18th October 1999 on a claim for, or award of, a relevant benefit (other than a decision made on appeal) may be revised by the Department under Article 10 of the Order—

(a) pursuant to an application for a review of that decision made within three months of the date of notification of the decision; or

(b) where an appeal has been made against that decision but not determined.

(14) Where a decision is revised pursuant to paragraph (13), the appeal shall lapse unless the revised decision is not more advantageous to the appellant than the decision before it was revised.

(15) Any appeal to a social security appeal tribunal, a disability appeal tribunal or a medical appeal tribunal in relation to a relevant benefit which was not determined before 18th October 1999 shall, without prejudice to Chapter III of Part V of the Decisions and Appeals Regulations, be treated as an appeal to an appeal tribunal against a decision of the Department.

(16) Paragraphs (17) to (19) shall apply where—

(a) the clerk to the tribunal gave a direction under regulation 22(1) or, as the case may be, 29(1) or 38(1) of the Adjudication Regulations(40); and

(b) notification referred to in paragraph (1A) of regulation 22 or, as the case may be, 29 or 38 of those Regulations was not received by him before 18th October 1999.

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(38) Regulation 3 was amended by regulation 2(2) of S.R. 1996 No. 24 and regulation 3(4) of S.R. 1996 No. 457

(39) Paragraph (3E) was inserted by regulation 2(2)(b) of S.R. 1996 No. 24

(40) Paragraphs (1) and (1A) of regulation 22, paragraphs (1) and (1A) of regulation 29 and paragraphs (1) and (1A) of regulation 38 were substituted respectively by regulation 3(10), (12)(a) and (13)(a) of S.R. 1996 No. 457

(17) A notification in response to a direction given under regulation 22(1) or, as the case may be, 29(1) or 38(1) of the Adjudication Regulations shall be in writing and shall be made within 14 days of receipt of the direction or within such other period as the clerk to the appeal tribunal may direct.

(18) An appeal may be struck out by the clerk to the appeal tribunal where a notification referred to in paragraph (17) is not received within the period specified in that paragraph.

(19) An appeal which has been struck out in accordance with paragraph (18) shall be treated for the purpose of reinstatement as if it had been struck out under regulation 46 of the Decisions and Appeals Regulations.

(20) An oral hearing of the appeal shall be held where—

- (a) a notification is received by the clerk to the appeal tribunal under paragraph (17); or
- (b) the chairman or, in the case of an appeal tribunal which has only one member, that member, is satisfied that such a hearing is necessary to enable the appeal tribunal to reach a decision.

(21) Where an appeal to a social security appeal tribunal, a disability appeal tribunal or a medical appeal tribunal in relation to a relevant benefit has been struck out under regulation 7 of the Adjudication Regulations, a legally qualified panel member may, on an application made by any party to the proceedings not later than three months from the date of the order under paragraph (1) of that regulation, reinstate the appeal if he is satisfied that—

- (a) the applicant did not receive a notice under paragraph (2) of that regulation; and
- (b) paragraph (2A)(41) of that regulation does not apply,

and the appeal shall be treated as an appeal to an appeal tribunal against a decision of the Department.

(22) An appeal tribunal shall completely rehear any appeal to a social security appeal tribunal, a disability appeal tribunal or a medical appeal tribunal in relation to a relevant benefit which stands adjourned immediately before 18th October 1999.

(23) Where, before 18th October 1999, a case fell to be referred by a medical appeal tribunal to an adjudication officer under any provision of the Social Security (Introduction of Disability Living Allowance) Regulations (Northern Ireland) 1992(42), the appeal tribunal hearing the appeal shall refer the case to the Department to be decided under Article 9 of the Order.

(24) A copy of a statement of—

- (a) the reasons for a decision of a social security appeal tribunal or, as the case may be, a disability appeal tribunal or a medical appeal tribunal in relation to a relevant benefit; and
- (b) its findings of fact material thereto,

shall be supplied to each party to the proceedings before that tribunal, if requested by any of them, within 21 days of the date on which notification of that decision was given or sent.

(25) Subject to paragraph (26), any decision of a social security appeal tribunal, a disability appeal tribunal or a medical appeal tribunal in relation to a relevant benefit shall be treated as a decision of an appeal tribunal.

(26) Where paragraph (25) applies, any application for leave to appeal which is made for the purposes of Article 15(10)(a) of the Order shall be made no later than three months from the date on which a copy of the statement of the reasons for the decision of the social security appeal tribunal or, as the case may be, the disability appeal tribunal or the medical appeal tribunal was given or sent to the applicant.

(27) Notwithstanding regulation 59 of the Decisions and Appeals Regulations, and subject to paragraph (29), regulation 10 of the Adjudication Regulations, and regulation 3 of those Regulations in so far as it relates to that regulation, shall continue to apply in relation to any application to set

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(41) Paragraph (2A) was inserted by regulation 3(8)(c) of S.R. 1996 No. 457

(42) S.R. 1992 No. 38

aside a decision of a social security appeal tribunal, a disability appeal tribunal or a medical appeal tribunal in relation to a relevant benefit, subject to the modifications specified in paragraph (28).

(28) The Adjudication Regulations shall have effect as if in regulation 3 reference to a chairman and in regulation 10(1) the first reference to the adjudicating authority which gave the decision and to an authority of like status were references to a legally qualified panel member.

(29) Paragraph (27) shall not apply in any case where an application to set aside a decision of a social security appeal tribunal, a disability appeal tribunal or a medical appeal tribunal is made after 18th November 2000.

(30) Where, before 18th October 1999, payment of a relevant benefit was suspended or withheld by virtue of any provision of Part V of the Claims and Payments Regulations, the provisions of Chapter I of Part III of the Decisions and Appeals Regulations shall apply with respect to that suspension or withholding as if it were a suspension imposed by virtue of those provisions.

(31) For the purpose of Article 11(1)(b) of the Order, a decision of a Commissioner in relation to a relevant benefit made before 18th October 1999 shall be treated as a decision of a Commissioner made under Article 15 of that Order.

(32) Any decision which fell to be made, but was not made, before 18th October 1999 under or by virtue of Part II of the Administration Act as to whether—

- (a) a person is entitled to be credited with earnings or contributions in accordance with regulations made under section 22(5) of the Contributions and Benefits Act; or
- (b) a person was, within the meaning of regulations, precluded from regular employment by responsibilities at home,

shall be made by the Department under Article 9(1)(c) of the Order.

(33) In this Article—

“the Adjudication Regulations” means the Social Security (Adjudication) Regulations (Northern Ireland) 1995(43);

“the Claims and Payments Regulations” means the Social Security (Claims and Payments) Regulations (Northern Ireland) 1987(44);

“the Decisions and Appeals Regulations” means the Social Security and Child Support (Decisions and Appeals) Regulations (Northern Ireland) 1999(45);

“claimant” and “legally qualified panel member” have the same meanings as in regulation 1(2) of the Decisions and Appeals Regulations;

“relevant benefit” means any benefit mentioned in Article 2(b)(i) and (ii); and

any reference to a decision includes a reference to a decision which fell to be made under the Social Security (Introduction of Disability Living Allowance) Regulations (Northern Ireland) 1992 or the Jobseeker’s Allowance (Transitional Provisions) (No. 2) Regulations (Northern Ireland) 1996(46).

## **Revocations**

17. The Regulations specified in column (1) of Schedule 2 are revoked to the extent mentioned in column (3) of that Schedule.

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(43) S.R. 1995 No. 293

(44) S.R. 1987 No. 465

(45) S.R. 1999 No. 162

(46) S.R. 1996 No. 518

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Sealed with the Official Seal of the Department of Health and Social Services on 15th October 1999.

*John O'Neill*  
Assistant Secretary

## SCHEDULE 1

Article 2(b)

**Provisions coming into operation on 18th October 1999**

<i>Provisions of the Order</i>	<i>Subject Matter</i>
Article 3(a)	Transfer of functions to the Department
Article 4(2)(a)	Use of computers
Article 5(1)(a) and (c) and (2)(a) and (c)	Unified appeal tribunals
Article 9(1)(a) and (c), (2), (3)(a) and (b), (4) and (5)(47)	Decisions by the Department
Article 10	Revision of decisions
Article 11	Decisions superseding earlier decisions
Article 12(1) and (2) and in paragraph (3) the following definitions— “the current legislation” (in so far as it applies to the Contributions and Benefits Act and the Jobseekers Order) “expert” “the former legislation” (in so far as it applies to the Social Security (Northern Ireland) Act 1975(48))	Regulations with respect to decisions
Article 13(2) to (4) and (6) to (9)	Appeal to appeal tribunal
Article 14	Redetermination, etc. of appeals by tribunal
Article 15	Appeal from tribunal to Commissioner
Article 16	Procedure
Article 17	Finality of decisions
Article 18(1)	Matters arising as respects decisions
Article 19	Medical examination required by the Department
Article 20	Medical examination required by appeal tribunal
Articles 21 to 24	Suspension and termination of benefit
Articles 25 and 26	Decisions and appeals dependent on other cases
Article 27	Restrictions on entitlement to benefit in certain cases of error
Article 28 (except paragraph (3)(c) and (e))	Correction of errors and setting aside of decisions
Article 39	Interpretation, etc. of Chapter II

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(47) Articles 9, 11, 13, 14, 18, 28 and 39 were amended, respectively, by paragraphs 16, 17, 19, 20, 23, 28 and 29 of Schedule 6 to the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999 (S.I. 1999/671)

(48) 1975 c. 15

<i>Provisions of the Order</i>	<i>Subject Matter</i>
Schedule 2, paragraphs 1, 3, 5, 6(a) and (b)(ii) and 7 to 9 and Article 13(1)(a) in so far as it relates to them	Decisions against which no appeal lies
Schedule 3, paragraphs 1 to 6, 8, 9, 16 and 17 and Article 13(1)(b) in so far as it relates to them	Decisions against which an appeal lies
Schedule 4	Regulations as to procedure: provision which may be made
The following paragraphs of Schedule	Minor and consequential amendments 6 and Article 78(1) in so far as it relates to them—
paragraph 48	General provisions as to disqualification and suspension
paragraph 49	Her Majesty's forces
paragraph 50	Mariners, airmen, etc.
paragraph 51	Persons outside Northern Ireland
paragraph 52	Interpretation of Parts I to VI and supplementary provisions
paragraph 60(1)	Regulations about claims for and payments of benefit
paragraph 61	Appeal from Commissioners on point of law
paragraph 62	Overpayments — general
paragraph 63	Recovery of jobseeker's allowance: severe hardship cases
paragraph 70	Unauthorised disclosure of information relating to particular persons
paragraph 71	Regulations as to notification of deaths
paragraph 74	Effect of alteration of rates of a jobseeker's allowance
paragraph 76	Implementation of increases in income-based jobseeker's allowance due to attainment of particular ages
paragraph 83	Reciprocal arrangements with Great Britain — income-related benefits and child benefit
paragraph 84	Reciprocal agreements with countries outside the United Kingdom
paragraph 85	Payment of travelling expenses by Department
paragraph 86	Regulations and orders — general
paragraph 87(c)	Interpretation
paragraph 88	Commissioners, tribunals, etc. — supplementary provisions

<i>Provisions of the Order</i>	<i>Subject Matter</i>
paragraph 101	Interpretation
paragraph 103	Availability for employment
paragraph 104	Actively seeking employment
paragraph 105	The jobseeker's agreement
paragraph 106	Variation of jobseeker's agreement
paragraph 107	Jobseeker's agreement: reviews and appeals
paragraph 108	Severe hardship
paragraph 109	Reduced payments
paragraph 110	Circumstances in which a jobseeker's allowance is not payable
paragraph 111	Exemptions from Article 21
paragraph 112	Termination of awards
paragraph 113	Assembly, etc. control
paragraph 114	Supplementary provisions
paragraph 116	Social security: amendments following certain orders
paragraph 118	Power to provide for recoupment of benefits
The following repeals in Schedule 7 and Article 78(2) in so far as it relates to them—	Repeals
the Jobseekers (Northern Ireland) Order 1995	
—	
in Article 2(2), the definition of “adjudication officer”	
in Article 8(6), the words “(“the first determination”)”	
in Article 9(7), the words “(“the first determination”)”	
Articles 11(9), 12(8) and 13 in Schedule 2, paragraph 39	

(47) Articles 9, 11, 13, 14, 18, 28 and 39 were amended, respectively, by paragraphs 16, 17, 19, 20, 23, 28 and 29 of Schedule 6 to the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999 (S.I. 1999/671)

(48) 1975 c. 15

## SCHEDULE 2

Article 17

**Regulations revoked**

Column (1) <i>Citation</i>	Column (2) <i>Reference</i>	Column (3) <i>Extent of revocation</i>
The Social Security (Attendance Allowance) Regulations (Northern Ireland) 1992	S.R. <a href="#">1992 No. 20</a>	Regulations 8C to 8E
The Social Security (Disability Living Allowance) Regulations (Northern Ireland) 1992	S.R. <a href="#">1992 No. 32</a>	Regulations 5A to 5C
The Social Security (Disability Living Allowance) (Amendment) Regulations (Northern Ireland) 1993	S.R. <a href="#">1993 No. 340</a>	Regulation 2(2)(d) and (11)(a) and (b)
The Social Security (Incapacity for Work) (Miscellaneous Amendments) Regulations (Northern Ireland) 1995	S.R. <a href="#">1995 No. 149</a>	Regulation 4(8) and (9)
The Jobseeker's Allowance Regulations (Northern Ireland) 1996	S.R. <a href="#">1996 No. 198</a>	Regulations 41 and 43 to 45
The Social Security (Attendance Allowance and Disability Living Allowance) (Miscellaneous Amendments) Regulations (Northern Ireland) 1997	S.R. <a href="#">1997 No. 355</a>	Regulations 2(3) and 3

**EXPLANATORY NOTE**

*(This note is not part of the Order.)*

This Order provides for the coming into operation on 18th October 1999 of provisions of the Social Security (Northern Ireland) Order 1998 in so far as they relate to attendance allowance, disability living allowance, invalid care allowance, jobseeker's allowance and payments made under Article 28 of the Jobseekers (Northern Ireland) Order 1995, decisions whether a person is entitled to be credited with earnings or contributions and decisions whether a person was precluded from regular employment by responsibilities at home.

The Order also makes savings, consequential and transitional provisions.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order.)*

The following provisions of the Social Security (Northern Ireland) Order 1998 have been brought into operation by earlier commencement orders as from the dates shown.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. Number</i>
Article 3(a) (partially)	5.7.99	1999 No. 310 (C. 23)
	6.9.99	1999 No. 371 (C. 28)
	5.10.99	1999 No. 407 (C. 31)
Article 3(c)	1.6.99	1999 No. 246 (C. 20)
Article 4 (partially)	9.9.98	1998 No. 312 (C. 15)
	5.7.99	1999 No. 310 (C. 23)
	6.9.99	1999 No. 371 (C. 28)
Article 5 (partially)	5.10.99	1999 No. 407 (C. 31)
	1.6.99	1999 No. 246 (C. 20)
	5.7.99	1999 No. 310 (C. 23)
Article 6	6.9.99	1999 No. 371 (C. 28)
	5.10.99	1999 No. 407 (C. 31)
	1.6.99	1999 No. 246 (C. 20)
Articles 7 and 8	10.3.99	1999 No. 102 (C. 13)
	1.6.99	1999 No. 246 (C. 20)
Article 9 (partially)	5.7.99	1999 No. 310 (C. 23)
	6.9.99	1999 No. 371 (C. 28)
	5.10.99	1999 No. 407 (C. 31)
Articles 10 to 13 (partially)	10.3.99	1999 No. 102 (C. 13)
	5.7.99	1999 No. 310 (C. 23)
	6.9.99	1999 No. 371 (C. 28)
Article 14 (partially)	5.10.99	1999 No. 407 (C. 31)
	5.7.99	1999 No. 310 (C. 23)
	6.9.99	1999 No. 371 (C. 28)
Article 15 (partially)	5.10.99	1999 No. 407 (C. 31)
	10.3.99	1999 No. 102 (C. 13)
	5.7.99	1999 No. 310 (C. 23)
Article 16 (partially)	6.9.99	1999 No. 371 (C. 28)
	5.10.99	1999 No. 407 (C. 31)
	9.9.98 and 6.4.99	1998 No. 312 (C. 15)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. Number</i>
	10.3.99	1999 No. 102 (C. 13)
	5.7.99	1999 No. 310 (C. 23)
	6.9.99	1999 No. 371 (C. 28)
	5.10.99	1999 No. 407 (C. 31)
Articles 17 and 18 (partially)	10.3.99	1999 No. 102 (C. 13)
	5.7.99	1999 No. 310 (C. 23)
	6.9.99	1999 No. 371 (C. 28)
	5.10.99	1999 No. 407 (C. 31)
Article 19 (partially)	5.7.99	1999 No. 310 (C. 23)
6.9.99	1999 No. 371 (C. 28)	
5.10.99	1999 No. 407 (C. 31)	
Articles 20 to 26 (partially)	10.3.99	1999 No. 102 (C. 13)
	1.6.99	1999 No. 246 (C. 20)
	5.7.99	1999 No. 310 (C. 23)
	6.9.99	1999 No. 371 (C. 28)
	5.10.99	1999 No. 407 (C. 31)
Article 27 (partially)	5.7.99	1999 No. 310 (C. 23)
	6.9.99	1999 No. 371 (C. 28)
	5.10.99	1999 No. 407 (C. 31)
Article 28 (partially)	10.3.99	1999 No. 102 (C. 13)
	5.7.99	1999 No. 310 (C. 23)
	5.10.99	1999 No. 407 (C. 31)
Articles 29 and 30 (partially)	5.7.99	1999 No. 310 (C. 23)
	6.9.99	1999 No. 371 (C. 28)
Articles 31(2) and (3) and 38(1)(a) and (3) (partially)	10.3.99	1999 No. 102 (C. 13)
Article 39 (partially)	5.7.99	1999 No. 310 (C. 23)
	6.9.99	1999 No. 371 (C. 28)
	5.10.99	1999 No. 407 (C. 31)
Part II, Chapter III	16.11.98 and 7.12.98	1998 No. 395 (C. 19)
	10.3.99	1999 No. 102 (C. 13)
	1.6.99	1999 No. 246 (C. 20)
Articles 45 and 46	9.9.98	1998 No. 312 (C. 15)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. Number</i>
Article 47(1) (partially)	9.9.98	1998 No. 312 (C. 15)
Article 48	24.2.99 and 6.4.99	1999 No. 72 (C. 9)
Article 49	9.9.98	1998 No. 312 (C. 15)
Article 50	9.9.98 and 6.4.99	1998 No. 312 (C. 15)
Article 51	10.3.99 and 6.4.99	1999 No. 102 (C. 13)
Article 52	9.9.98	1998 No. 312 (C. 15)
Articles 53, 54 and 56	10.3.99 and 6.4.99	1999 No. 102 (C. 13)
Article 57 (partially)	10.3.99 and 6.4.99	1999 No. 102 (C. 13)
Article 58	6.4.99	1999 No. 102 (C. 13)
Article 59	10.3.99 and 6.4.99	1999 No. 102 (C. 13)
Article 60	6.4.99	1999 No. 102 (C. 13)
Article 61	9.9.98 and 6.4.99	1998 No. 312 (C. 15)
Article 64	9.9.98	1998 No. 312 (C. 15)
Articles 66 and 67	5.4.99	1999 No. 168 (C. 16)
Article 69	6.4.99	1998 No. 312 (C. 15)
Article 70 (partially)	10.3.99	1999 No. 102 (C. 13)
Article 71	5.10.98	1998 No. 312 (C. 15)
Article 72	16.11.98	1998 No. 395 (C. 19)
Article 78(1) and	9.9.98 and 6.4.99	1998 No. 312 (C. 15)
Schedule 6 (partially)	16.11.98	1998 No. 395 (C. 19)
	6.4.99	1999 No. 72 (C. 9)
	10.3.99 and 6.4.99	1999 No. 102 (C. 13)
	5.4.99	1999 No. 168 (C. 16)
	1.6.99	1999 No. 246 (C. 20)
	5.7.99	1999 No. 310 (C. 23)
	6.9.99	1999 No. 371 (C. 28)
	5.10.99	1999 No. 407 (C. 31)
Article 78(2) and	9.9.98 and 6.4.99	1998 No. 312 (C. 15)
Schedule 7 (partially)	6.4.99	1999 No. 72 (C. 9)
	6.4.99	1999 No. 102 (C. 13)
	5.4.99	1999 No. 168 (C. 16)
	1.6.99	1999 No. 246 (C. 20)
	5.7.99	1999 No. 310 (C. 23)
Schedule 1 (partially)	10.3.99	1999 No. 102 (C. 13)

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. Number</i>
	1.6.99	1999 No. 246 (C. 20)
Schedules 2 to 4	10.3.99	1999 No. 102 (C. 13)
(partially)	5.7.99	1999 No. 310 (C. 23)
	6.9.99	1999 No. 371 (C. 28)
	5.10.99	1999 No. 407 (C. 31)