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STATUTORY RULES OF NORTHERN IRELAND

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**2000 No. 91**

**The Social Fund Winter Fuel Payment  
Regulations (Northern Ireland) 2000**

**Making a winter fuel payment without a claim**

4.—(1) Subject to paragraph (2), the Department may before the 31st March of the year following the year in which the qualifying week falls make a winter fuel payment under regulation 2 in respect of the preceding winter to a person who (disregarding regulation 3(b)) appears from official records held by the Department to be entitled to a payment under that regulation.

(2) Where a person becomes entitled to income support in respect of the qualifying week by virtue of a decision made after that week that section 115 of the Immigration and Asylum Act 1999(1) (exclusions) ceases to apply to him the Department shall make a winter fuel payment to that person under regulation 2 in respect of the winter following the qualifying week.

(3) Subject to paragraph (4), for the purposes of paragraphs (1) and (2) official records held by the Department as to a person's circumstances shall be sufficient evidence thereof for the purpose of deciding his entitlement to a winter fuel payment and its amount.

(4) Paragraph (3) shall not apply so as to exclude the revision of a decision under Article 10 of the Social Security (Northern Ireland) Order 1998 (revision of decisions) or the supersession of a decision under Article 11 of that Order(2) (decisions superseding earlier decisions) or the consideration of fresh evidence in connection with the revision or supersession of a decision.

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(1) 1999 c. 33

(2) Article 11(1) was amended by paragraph 17(a) of Schedule 6 and paragraph 4 was repealed by Schedule 9 to the Social Security Contributions (Transfer of Functions, etc.) Order 1999 (S.I. 1999/671)