

2002 No. 14

SOCIAL SECURITY

**The Social Fund (Maternity and Funeral Expenses) (General)
(Amendment) Regulations (Northern Ireland) 2002**

Made 22nd January 2002

Coming into operation 31st March 2002

The Department for Social Development, in exercise of the powers conferred by sections 134(1)(a) and 171(1), (3) and (4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(a), and Article 10(1)(a) of the Social Security (Northern Ireland) Order 1998(b) and now vested in it(c), and of all other powers enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Fund (Maternity and Funeral Expenses) (General) (Amendment) Regulations (Northern Ireland) 2002 and shall come into operation on 31st March 2002.

(2) In these Regulations “the principal Regulations” means The Social Fund (Maternity and Funeral Expenses) (General) Regulations (Northern Ireland) 1987(d).

(3) The Interpretation Act (Northern Ireland) 1954(e) shall apply to these Regulations as it applies to an Act of the Assembly.

Amendment of the principal Regulations

2. In regulation 4(2) of the principal Regulations(f) (amount of a Sure Start Maternity Grant), in each place where “£300” appears there shall be substituted “£500”.

Transitional provision

3.—(1) Subject to paragraph (2) of this regulation, the principal Regulations shall have effect as if regulation 2 of these Regulations had not been made where—

(a) 1992 c.7; section 134(1) was substituted by Article 66(1) of the Social Security (Northern Ireland) Order 1998 (S.I. 1998/1506 (N.I. 10))
(b) S.I. 1998/1506 (N.I. 10)
(c) See Article 8(b) of S.R. 1999 No. 481
(d) S.R. 1987 No. 150; relevant amending Regulations are S.R. 1992 No. 394, S.R. 1997 No. 155 and S.R. 2000 Nos. 49 and 259
(e) 1954 c. 33 (N.I.)
(f) Regulation 4(2) was substituted by regulation 3(b) of S.R. 1992 No. 394 and amended by regulation 2(4)(b) of S.R. 1997 No. 155, regulation 4 of S.R. 2000 No. 49 and regulation 3 of S.R. 2000 No. 259

- (a) the expected date of confinement;
- (b) the expected date of birth of the child (including any still-born);
- (c) the date of the adoption order, or
- (d) in the case of a child in respect of whom an order has been granted pursuant to section 30 of the Human Fertilisation and Embryology Act 1990(a), the date of the order, is before 16th June 2002.

(2) Subject to paragraph (3), where a claim is made for a Sure Start Maternity Grant before 16th June 2002 in respect of a child born (including any still-born) on or after that date, regulation 4(2) of the principal Regulations shall have effect as if the amount of the Sure Start Maternity Grant in that case were £500.

(3) Where a decision is made in a case to which paragraph (2) applies on the basis that the amount of a Sure Start Maternity Grant is £300—

- (a) that decision may be revised under Article 10 of the Social Security (Northern Ireland) Order 1998 (revision of decisions)—
 - (i) within 13 months of that decision, or
 - (ii) where the Department receives an application for a revision of that decision made within 13 months of that decision; and
- (b) any payment made pursuant to that decision (before revision) shall be offset against any amount payable pursuant to the revision under Article 10 of that Order.

(4) Regulation 3(1) of the principal Regulations(b) (provision against double payment) shall not prevent a payment being made in consequence of paragraphs (2) and (3).

Sealed with the Official Seal of the Department for Social Development
on 22nd January 2002.

(L.S.)

John O'Neill
Senior Officer of the Department for
Social Development

(a) 1990 c. 37

(b) Regulation 3(1) was amended by regulation 4 of S.R. 2000 No. 49

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Social Fund (Maternity and Funeral Expenses) (General) Regulations (Northern Ireland) 1987.

In particular, regulation 2 increases the amount of a Sure Start Maternity Grant from £300 to £500.

Regulation 3 makes a transitional provision.

These Regulations make in relation to Northern Ireland only provision corresponding to provision contained in Regulations made by the Secretary of State for Work and Pensions in relation to Great Britain and accordingly, by virtue of section 149(3) of, and paragraph 10 of Schedule 5 to, the Social Security Administration (Northern Ireland) Act 1992 (c. 8), are not subject to the requirement of section 149(2) of that Act for prior reference to the Social Security Advisory Committee.

These Regulations do not impose any charge on business.

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