

2004 No. 412

WELFARE FOODS

**The Welfare Foods (Amendment No. 2) Regulations
(Northern Ireland) 2004**

Made - - - - - *28th September 2004*

Coming into operation *1st October 2004*

The Department of Health, Social Services and Public Safety^(a), in exercise of the powers conferred on it by Article 13(3) and (4) of the Social Security (Northern Ireland) Order 1988^(b) and section 171(2) to (5) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992^(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 Welfare Foods (Amendment No. 2) Regulations (Northern Ireland) 2004.

(2) These Regulations shall come into operation on 1st October 2004.

(3) In these Regulations ‘the principal Regulations’ means the Welfare Foods Regulations (Northern Ireland) 1988^(d).

Amendment of Schedule 6

2. In Schedule 6 to the principal Regulations (statutory provisions applied for the purposes of these regulations), at the end, add the following entries –

Section 117 of the Social Security
Administration (Northern Ireland)
Act 1992^(e) (Unauthorised disclosure
of information relating to particular persons)

Schedule 4 to the Social Security
Administration (Northern Ireland)
Act 1992 (persons employed in social
security administration or adjudication)

In Part 1 (the specified persons), under
(*Government departments*), after “(c)
the Northern Ireland Court Service”, insert
“(d) the Department of Health, Social

(a) Formerly the Department of Health and Social Services *see* S.I. 1999/283 (N.I. 1); Article 3(6)
(b) S.I. 1988/594 (N.I. 2); Article 13(4) was amended by section 4 of, and paragraph 35(1) of Schedule 2 to, the Social Security (Consequential Provisions) (Northern Ireland) Act 1992 (c. 9)
(c) 1992 c. 7; section 171(2) to (5) is applied by Article 15A of the Social Security (Northern Ireland) Order 1988, which Article was inserted by Article 22(1) of and paragraph 6(9) of Schedule 6 to the Social Security (Northern Ireland) Order 1990 (S.I. 1990/1511 (N.I. 15)), and amended by section 4 of and paragraph 35(4) and (5) of Schedule 2 to the Social Security (Consequential Provisions) (Northern Ireland) Act 1992 (c. 9)
(d) S.R. 1988 No. 137, the relevant amending Regulations are S.R. 1998 No. 143 and S.R. 1990 No. 363
(e) 1992 (c. 8); section 117 was amended by paragraph 25 of Schedule 16 to the Deregulation and Contracting Out Act 1994 (c. 40); and Schedule 9 to the Social Security Contributions (Transfer of Functions, etc) (Northern Ireland) Order 1999 (S.I. 1999/671) and Article 4(2) of the Social Security Administration (Fraud) (Northern Ireland) Order 1997 (S.I. 1997/1182 (N.I. 11))

Services and Public Safety”, and in Part II (Construction of References to Government Departments etc), at the end of paragraph 1, add “and the reference to the Department of Health, Social Services and Public Safety is a reference to that Department only to the extent that the functions carried out relate to the administration of a scheme made for the purposes of Article 13 of the Social Security (Northern Ireland) Order 1988”.

Section 3(2)(a) of the Social Security Act 1998(a) (use of information)

After “or employment or training” insert “; or, where it relates to benefit under the Social Security Administration (Northern Ireland) Act 1992, the administration of a scheme made for the purposes of Article 13 of the Social Security (Northern Ireland) Order 1988”.

Sealed with the Official Seal of the Department of Health, Social Services and Public Safety on 28th September 2004.

(L.S.)

Deirdre Kenny

Senior Officer of the Department of Health, Social Services and Public Safety

(a) (c. 7) section 3(2) was amended by the Employment Act 2002 (c. 22) section 50, Schedule 6, paragraph 1(b)

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations further amend the Welfare Foods Regulations (Northern Ireland) 1988 (“the principal Regulations”).

Regulation 2 adds new entries to Schedule 6 to the principal Regulations (statutory provisions applied for the purposes of these regulations). The statutory provisions specified are modified as indicated pursuant to regulation 17 of the principal Regulations (Application of statutory provisions). The modifications enable information which relates to, amongst other things social security, to be supplied to the Department of Health, Social Services and Public Safety for use in the administration of a scheme made for the purposes of Article 13 of the Social Security (Northern Ireland) Order 1988 (Schemes for distribution, etc., of welfare foods). It also specifies a civil servant in the Department of Health, Social Services and Public Safety as a person who will be guilty of an offence if he discloses without lawful authority information acquired in the course of his employment.

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