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STATUTORY RULES OF NORTHERN IRELAND

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**2011 No. 296**

**SOCIAL SECURITY**

**The Social Security (Exemption from Claiming Retirement Pension) Regulations (Northern Ireland) 2011**

*Made - - - - 22nd August 2011*

*Coming into operation 11th October 2011*

The Department for Social Development makes the following Regulations in exercise of the powers conferred by sections 1(1) and 165(1), (4) and (6) of the Social Security Administration (Northern Ireland) Act 1992<sup>(1)</sup> and now vested in it<sup>(2)</sup>.

**Citation and commencement**

1. These Regulations may be cited as the Social Security (Exemption from Claiming Retirement Pension) Regulations (Northern Ireland) 2011 and shall come into operation on 11th October 2011.

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

2. In regulation 3A(7) of the Social Security (Claims and Payments) Regulations (Northern Ireland) 1987<sup>(3)</sup> (notification that claim not required for entitlement to a Category A or B retirement pension) after sub-paragraph (c) insert—

“(ca) any provision of the Social Security Fraud Act (Northern Ireland) 2001<sup>(4)</sup> and regulations made by virtue of any such provision;”.

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(1) 1992 c. 8; section 165(1) was amended by paragraph 49(2) of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999 (S.I. 1999/671)  
(2) See Article 8(b) of S.R. 1999 No. 481  
(3) S.R. 1987 No. 465; regulation 3A was inserted by regulation 2(3) of S.R. 2010 No. 337  
(4) 2001 c. 17 (N.I.)

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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Sealed with the Official Seal of the Department for Social Development on 22nd August 2011

(L.S.)

*Anne McCleary*  
A senior officer of the Department for Social  
Development

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend regulation 3A of the Social Security (Claims and Payments) Regulations (Northern Ireland) 1987 to include those persons who would have been in receipt of a benefit but for the application of a sanction under, or by virtue of, any provision of the Social Security Fraud Act (Northern Ireland) 2001 as persons who will not need to make a claim for a Category A or B retirement pension where they have received a notification from the Department for Social Development that no claim is required, except where the person defers entitlement to such a pension or elects to be treated as having not retired.

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, are not subject to the requirement of section 149(2) of that Act for prior reference to the Social Security Advisory Committee.