
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make consequential amendments to the Social Fund (Cold Weather Payments) (General) Regulations (Northern Ireland) 1988 (S.R. 1988 No. 368) (“the 1988 Regulations”) and the Social Fund Maternity and Funeral Expenses (General) Regulations (Northern Ireland) 2005 (S.R. 2005 No. 506) (“the 2005 Regulations”) to take account of the changes made by the Welfare Reform and Work Act 2016 (c. 7) to child tax credit legislation set out in the Tax Credit Act 2002 (c. 21).

These Regulations also amend the 1988 Regulations by removing the Schedule which contains weather stations and relevant postcode districts and providing that the Department must designate primary stations for each postcode district, may designate secondary stations for each postcode district, and must publish details of those designations.

Regulation 2 sets out amendments to the 1988 Regulations.

Paragraph (2)(a) substitutes a new definition of “Met Office” for the definition of “Meteorological Office” in regulation 1(2) of the 1988 Regulations. Paragraph (2)(b) makes consequential changes to the 1988 Regulations.

Paragraph (3)(a) substitutes regulation 1A(3)(d) of the 1988 Regulations to provide that where a person is in receipt of a specified benefit and has been awarded child tax credit, that person will only qualify for a cold weather payment by virtue of that child tax credit where the child tax credit contains a disability element.

Paragraph (4) amends regulation 2 of the 1988 Regulations by making provision for a secondary station or an alternative station to be used in certain circumstances to determine whether there is a forecasted or recorded period of cold weather at the relevant primary station. The Met Office will determine alternative stations for primary stations in certain circumstances. Where the home of a claimant is not situated within a postcode district for which a primary station is designated, the home is to be treated as if it were situated within such a postcode district; the Met Office will choose the postcode district (for which a primary station is designated) that is the most geographically and climatologically representative of the postcode district in which the home of the claimant is situated.

Paragraph (5) makes provision about the designation of primary and secondary stations, the publication of those designations, and the review and variation of designations.

Paragraph (6) revokes Schedule 1 to the 1988 Regulations.

Regulation 3 makes consequential revocations to the 1988 Regulations.

Regulation 4 makes consequential amendments to the 2005 Regulations to ensure that, provided other specified conditions are also met, a claimant will be entitled to a Sure Start Maternity Grant or a funeral payment where the claimant (or the claimant’s partner) has been awarded child tax credit which includes an individual element or a disability element.

The Postcode Atlas of Great Britain and Northern Ireland and the postcode maps may be obtained from Harper Collins, United Kingdom, 2012, ISBN 0007443072. A person may establish the current postcode for his or her address by contacting Royal Mail Postcode Enquiries office (telephone 0906 302 1222 (Monday to Friday, 8am – 4pm) or 05457 111 222 (Monday to Friday, 4pm – 6pm and Saturday, 8am – 1pm)) or through the Royal Mail Website at www.royalmail.com.

A full impact assessment has not been published for this statutory rule as no impact on the private sector or civil society organisations is foreseen.