

2020 No. 227

SOCIAL SECURITY

**The Social Security (Coronavirus) (Prisoners) (Amendment)
Regulations (Northern Ireland) 2020**

Made - - - - 22nd October 2020

Coming into operation - 12th November 2020

The Department for Communities(a) makes the following Regulations in exercise of the powers conferred by sections 122(1)(a) and (d), 123, 129, 131(1), 133(2)(h) and (l) and 171(1), (3) and (4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(b), Articles 6(5) and (12), 8(4), 9(4) and 36(2) of, and paragraph 12 of Schedule 1 to, the Jobseekers (Northern Ireland) Order 1995(c), and now vested in it(d), sections 2(3), (4), (6) and (9), 3(8), 17(2)(a) and 19(1) to (3) of the State Pension Credit Act (Northern Ireland) 2002(e), sections 4(2) and (3), 24(1) and 25(2) of, and paragraph 6(8) of Schedule 1 to, the Welfare Reform Act (Northern Ireland) 2007(f) and Articles 7(2), 11(1), 13(1) and 48(1) and (2) of, and paragraph 5(1) of Schedule 1 to, the Welfare Reform (Northern Ireland) Order 2015(g).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Coronavirus) (Prisoners) (Amendment) Regulations (Northern Ireland) 2020 and come into operation on 12th November 2020.

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

Amendment of the Social Security (Coronavirus) (Prisoners) Regulations

2. In regulation 6(2) of the Social Security (Coronavirus) (Prisoners) Regulations (Northern Ireland) 2020(i) for “8 months” substitute “14 months”.

Sealed with the Official Seal of the Department for Communities on 22nd October 2020

(a) The Department for Social Development was renamed the Department for Communities in accordance with section 1(7) of the Departments Act (Northern Ireland) 2016 (c. 5 (N.I.))
(b) 1992 c.7. section 129 was amended Article 8(2) of the Housing Support Services (Northern Ireland) Order 2002 (SI 2002/3154 (NI8)) and Schedule 8 to the Welfare Reform Act (Northern Ireland) 2007 (c.2)
(c) S.I.1995/2705 (N.I. 15). Articles 8 and 9 are maintained in operation in certain circumstances by Article 9 of S.R. 2017 No. 190. Article 36(2) was amended by paragraph 55 of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999 (S.I. 1999/671)
(d) See Article 8(b) of S.R. 1999 No. 481
(e) 2002 c.14 (N.I.)
(f) 2007 c. 2 (N.I.). Sections 2 and 4 were repealed for certain purposes by the Welfare Reform (Northern Ireland) Order 2015
(g) 2015 No. 2006 (N.I. 1)
(h) 1954 c. 33 (N.I.)
(i) S.R. 2020 No. 63

(L.S.)

Anne McCleary
A senior officer of the Department of Communities

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Social Security (Coronavirus) (Prisoners) Regulations (Northern Ireland) 2020 (S.R. 2020 No. 63) in response to the continuing outbreak of coronavirus in Northern Ireland.

Those Regulations made provision to enable individuals on temporary release from prison due to the outbreak of coronavirus in Northern Ireland to access means tested benefits during the period of that release.

Following a review by the Department of the operation of the Social Security (Coronavirus) (Prisoners) Regulations (Northern Ireland) 2020, regulation 2 amends the provision by which those Regulations expire after 8 months so that they now expire 14 months after they came into operation.

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 requirement of section 149(2) of that Act for prior reference to the Social Security Advisory Committee.

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£4.90

NI202010221006 10/2020 19585

<http://www.legislation.gov.uk/id/nistr/2020/227>

ISBN 978-0-33-801388-0



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