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## STATUTORY INSTRUMENTS

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# 1998 No. 1506

## The Social Security (Northern Ireland) Order 1998

### PART II

#### DECISIONS AND APPEALS

##### CHAPTER II

##### SOCIAL SECURITY DECISIONS AND APPEALS

###### *Other special cases*

#### **Incapacity for work**

**31**<sup>F1</sup>.—<sup>F2</sup>(1) Regulations may provide that a determination that a person is disqualified for any period in accordance with regulations under section 167E of the Contributions and Benefits Act shall have effect for such purposes as may be prescribed as a determination that he is to be treated as capable of work for that period, and vice versa.

[<sup>F3</sup>(1A) Regulations may provide that a determination that a person is disqualified for any period in accordance with regulations under section 18(1) to (3) of the Welfare Reform Act (Northern Ireland) 2007 shall have effect for such purposes as may be prescribed as a determination that he is to be treated as not having limited capability for work for that period, and vice versa.]

(2) Provision may be made by regulations for matters of such descriptions as may be prescribed to be determined by the Department, notwithstanding that other matters fall to be determined by another authority.

(3) Nothing in this Article shall be taken to prejudice the generality of the power conferred by Article 17(2).

**F1** mod. by SR 1999/349, 350

**F2** prosp. in pt. certain functions transf. by 2002 c. 21

**F3** [Art. 31\(1A\)](#) inserted (1.7.2008 for certain purposes, otherwise 27.10.2008) by [Welfare Reform Act \(Northern Ireland\) 2007 \(c. 2\)](#), ss. 28(1), 60(1), [Sch. 3 para. 10\(7\)](#); S.R. 2008/276, [art. 2\(2\)\(c\)](#), Sch. Pt. 1

#### **Industrial diseases**

**32**<sup>F4</sup>. <sup>F5</sup>Regulations shall provide for applying the provisions of this Chapter, subject to any prescribed additions or modifications, in relation to decisions made or falling to be made under sections 108 to 110 of the Contributions and Benefits Act.

**F4** mod. by SR 1999/349, 350

**F5** prosp. in pt. certain functions transf. by 2002 c. 21

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**Changes to legislation:** The Social Security (Northern Ireland) Order 1998, Cross Heading: Other special cases is up to date with all changes known to be in force on or before 16 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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## Christmas bonus

**33** <sup>F6</sup>.—<sup>F7</sup>(1) A decision by the Department that a person is entitled or not entitled to payment of a qualifying benefit in respect of a period which includes a day in the relevant week shall be conclusive for the purposes of section 144 of the Contributions and Benefits Act.

(2) In this Article, expressions to which a meaning is assigned by section 146 of that Act have that meaning.

**F6** mod. by SR 1999/349, 350

**F7** prosp. in pt. certain functions transf. by [2002 c. 21](#)

**Changes to legislation:**

The Social Security (Northern Ireland) Order 1998, Cross Heading: Other special cases is up to date with all changes known to be in force on or before 16 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to :**

- power to am. (prosp.) by [1998 c. 47 s.87](#)

**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

- Act amended by [1999 c. 10 s.1\(2\)Sch.1 paras.16\(r\)](#)

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Sch. 2 para. 7A and cross-heading inserted by [S.I. 2015/2006 \(N.I.\) Sch. 2 para. 41\(3\)](#)
- Sch. 3 para. 3A inserted by [S.I. 2015/2006 \(N.I.\) Sch. 2 para. 42](#)
- art. 38(1A) inserted by [2010 c. 13 \(N.I.\) s. 16\(2\)](#)