

1987 No. 449 (C. 14)

SOCIAL SECURITY

**The Social Security (1986 Order) (Commencement No. 7)
Order (Northern Ireland) 1987**

Made 9th December 1987

The Department of Health and Social Services, in exercise of the powers conferred on it by Article 1(3) of the Social Security (Northern Ireland) Order 1986(a), paragraph 2(1) of Schedule 1 to the Northern Ireland Act 1974(b) and of all other powers enabling it in that behalf, hereby makes the following order:

Citation and interpretation

1.—(1) This order may be cited as the Social Security (1986 Order) (Commencement No. 7) Order (Northern Ireland) 1987.

(2) In this order, references to Articles and Schedules are references to Articles of, and Schedules to, the Social Security (Northern Ireland) Order 1986.

Appointed days

2.—(1) The day appointed for the coming into operation of the provisions of the Social Security (Northern Ireland) Order 1986 which are specified in Part I of the Schedule to this order, so far as they relate to housing benefit, is—

- (a) in a case where rent is payable at intervals of one month or any other interval which is not a week or a multiple thereof, 1st April 1988;
- (b) in a case where payments by way of rates are not made together with payments of rent at weekly intervals or multiples thereof, 1st April 1988;
- (c) in any other case, 4th April 1988.

(2) The day appointed for the coming into operation of the provisions of the Social Security (Northern Ireland) Order 1986 which are specified in Part II of the Schedule to this order is 11th April 1988.

Revocations

3. In the Social Security (1986 Order) (Commencement No. 6) Order (Northern Ireland) 1987(c)—

- (a) Article 2(2) of that order (the coming into operation of abolition of industrial death benefit), and
- (b) the Schedule to that order so far as it relates to the coming into operation of—

(a) S.I. 1986/1888 (N.I. 18)

(b) 1974 c. 28

(c) S.R. 1987 No. 299 (C. 11)

- (i) the repeals in Schedule 10 of sections 67, 68 and 70 to 75 of, and Schedule 9 to, the Social Security (Northern Ireland) Act 1975^(a) and Article 18(4) of the Social Security (Miscellaneous Provisions) (Northern Ireland) Order 1977^(b), and
 - (ii) Article 83(2) so far as it relates to those repeals,
- are hereby revoked.

Sealed with the Official Seal of the Department of Health and Social Services on 9th December 1987.

(L.S.)

A. N. Burns

Assistant Secretary

(a) 1975 c. 15

(b) S.I. 1977/610 (N.I. 11)

SCHEDULE

PART I

Provisions of the Social Security (Northern Ireland) Order 1986 for which 1st April 1988 and 4th April 1988 are appointed as the days of coming into operation

<i>Provision of the Social Security (Northern Ireland) Order 1986</i>	<i>Subject Matter</i>
Article 21(1), (7), (8), (9), (11) and (12), Article 22(4) to (7), Articles 23, 29, 30, 31(1) and (2) and Article 32	Housing benefit
Schedule 9 in the respects specified below and Article 83(1) so far as it relates to them—	Minor and consequential amendments
paragraphs 32 and 34	(housing benefit)
The following repeals in Schedule 10 and Article 83(2) so far as it relates to them—	Repeals
All the provisions of the Housing Benefits (Northern Ireland) Order 1983(a) except Articles 1 and 2, paragraphs 1 and 6 of Schedule 1 and Article 9(1) so far as it relates to those paragraphs	(housing benefit)

PART II

Provisions of the Social Security (Northern Ireland) Order 1986 for which 11th April 1988 is appointed as the day of coming into operation

<i>Provision of the Social Security (Northern Ireland) Order 1986</i>	<i>Subject Matter</i>
Articles 21, 22 and 23 in so far as they are not brought into operation in accordance with Part I of this Schedule	Income support and family credit
Article 24	Trade disputes
Articles 25 to 27	Liability to maintain
Article 28 for all purposes for which it is not already in operation	Prevention of duplication of payments
Article 33 in so far as it is not already in operation and Articles 34 to 36	Social Fund
Article 66(4)	Reciprocal arrangements
Article 79(3)	Crown employment and family credit

(a) S.I. 1983/1121 (N.I. 14)

<i>Provision of the Social Security (Northern Ireland) Order 1986</i>	<i>Subject Matter</i>
Schedule 3, paragraph 1 in so far as it relates to paragraph 8, paragraph 8 in so far as it relates to section 67(2)(b) of the Social Security (Northern Ireland) Act 1975 and Article 40 in so far as it relates to the above paragraphs	Industrial death benefit
Schedule 7, paragraph 3 in so far as it is not already in operation and Article 74 so far as it relates to it	Claims and payments
Schedule 9 in the respects specified below and Article 83(1) so far as it relates to them—	Minor and consequential amendments
paragraphs 27 to 31, 32 for all purposes for which it is not already in operation, 33 and 35 to 38	(income support and family credit)
paragraphs 66 and 67	(income support)
paragraphs 76 in so far as it is not already in operation	(forfeiture)
The following repeals in Schedule 10 and Article 83(2) so far as it relates to them—	Repeals
The Criminal Evidence Act (Northern Ireland) 1923(a), in Schedule 1, the entry relating to the Supplementary Benefits (Northern Ireland) Order 1977	(supplementary benefit)
The Family Income Supplements Act (Northern Ireland) 1971(b), in so far as it is not already repealed	(family income supplement)
The Payments for Debt (Emergency Provisions) Act (Northern Ireland) 1971(c), in section 16(1), the definitions of “the Act of 1966”, “the 1977 Order” and “the Act of 1971”	(supplementary benefit and family income supplement)
The Social Security (Northern Ireland) Act 1975—	
(i) section 67(2)(b)	(industrial death benefit)
(ii) in section 134(1), the words “relating to social security”	(reciprocity with other countries)
The Child Benefit (Northern Ireland) Order 1975(d), in Schedule 4, paragraphs 5 and 6	(family income supplement)
The Industrial Relations (Northern Ireland) Order 1976(e), in Article	(supplementary benefit)

(a) 1923 c. 9 (N.I.)

(b) 1971 c. 8 (N.I.)

(c) 1971 c. 30 (N.I.)

(d) S.I. 1975/1504 (N.I. 16)

(e) S.I. 1976/1043 (N.I. 16)

<i>Provision of the Social Security (Northern Ireland) Order 1986</i>	<i>Subject Matter</i>
<p>72(7), the definition of “supplementary benefit”</p> <p>The Supplementary Benefits (Northern Ireland) Order 1977(a)—</p> <ul style="list-style-type: none"> (i) in Article 2, paragraph (2) except the definitions of “the Department” and “voluntary organisation”; and paragraph (2A) (ii) Articles 3 to 15 (iii) Articles 17 to 24 (iv) Article 27 (v) Articles 30, 31 and 33 (vi) Articles 39 to 41 (vii) Schedule 1 (viii) in Schedule 6, paragraphs 1, 2, 9, 10, 12, 14, 15(1), 16, 17, 18(1), 20 and 22 	<p>(supplementary benefit)</p>
<p>The Social Security (Northern Ireland) Order 1979(b), Article 7</p>	<p>(supplementary benefit)</p>
<p>The Social Security Act 1980(c), in section 9(7), the words “the Family Income Supplements Act (Northern Ireland) 1971” and the words “and the Supplementary Benefits (Northern Ireland) Order 1977”</p>	<p>(supplementary benefit and family income supplement)</p>
<p>The Social Security (Northern Ireland) Order 1980(d)</p> <ul style="list-style-type: none"> (i) Article 8 (ii) in Article 9(1), the words “or 8” (iii) in Schedule 2, paragraphs 1 to 11, 13 to 18, 21 and 23 to 29 (iv) in Schedule 3, paragraphs 1 and 8(a)(ii) and (b) 	<p>(supplementary benefit and family income supplement)</p>
<p>The Social Security (No. 2) (Northern Ireland) Order 1980(e), Article 6</p>	<p>(supplementary benefit)</p>

(a) S.I. 1977/2156 (N.I. 27)

(b) S.I. 1979/396 (N.I. 5)

(c) 1980 c. 30

(d) S.I. 1980/870 (N.I. 8)

(e) S.I. 1980/1087 (N.I. 13)

<i>Provision of the Social Security (Northern Ireland) Order 1986</i>	<i>Subject Matter</i>
The Social Security (Northern Ireland) Order 1981(a), Article 5 and in the Schedule, paragraphs 1, 5, 8 and 9	(supplementary benefit and family income supplement)
The Magistrates' Courts (Northern Ireland) Order 1981(b), in Schedule 6, paragraph 139	(supplementary benefit)
The Social Security (Northern Ireland) Order 1982(c), Article 31, Article 35(1)(a), and in Schedule 4, paragraphs 2 and 14	(supplementary benefit and family income supplement)
The Housing Benefits (Northern Ireland) Order 1983, in so far as it is not already repealed in accordance with Part I of this Schedule	(supplementary benefit)
The Social Security Adjudications (Northern Ireland) Order 1983(d), in Schedule 1, Parts II and III in so far as they are not already repealed	(supplementary benefit and family income supplement)

(a) S.I. 1981/1118 (N.I. 25)

(b) S.I. 1981/1675 (N.I. 26)

(c) S.I. 1982/1084 (N.I. 16)

(d) S.I. 1983/1524 (N.I. 17)

EXPLANATORY NOTE

(This note is not part of the Order.)

Article 2(1) of this order brings into operation the provisions of the Social Security (Northern Ireland) Order 1986 ("the Order") relating to housing benefit which are specified in Part I of the Schedule to this order, including consequential amendments and repeals—

- (a) on 1st April 1988 where rent is payable at any interval which is not a week or a multiple thereof, or where payments by way of rates are not made together with payments of rent at weekly intervals or multiples thereof and,
- (b) on 4th April 1988 in any other case.

Article 2(2) brings into operation the provisions of the Order which are specified in Part II of the Schedule to this order on 11th April 1988. Part II includes all those provisions concerned with income support, family credit and the social fund, in so far as they have not already been brought into operation. Part II also covers industrial death benefit, reciprocal arrangements, claims and payments and consequential amendments and repeals.

Article 3 revokes Article 2(2) of the Social Security (1986 Order) (Commencement No. 6) Order (Northern Ireland) 1987 which appointed 10th April 1988 as the day for the commencement of paragraphs 8, 9 and 10 of Schedule 3 to the Order (abolition of industrial death benefit) and Article 40 of that Order so far as it relates to those paragraphs. Article 3 also revokes provisions in the Schedule to the Social Security (1986 Order) (Commencement No. 6) Order (Northern Ireland) 1987 relating to the coming into operation of certain repeals in Schedule 10 to the Order.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order.)

The following provisions of the Social Security (Northern Ireland) Order 1986 have been brought into operation by commencement order made before the date of this order.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. Number</i>
Art. 3	4. 1.88	1987 No. 161 (C. 6)
Art. 4, Sch. 1	1. 5.87	"
Arts. 5, 6 and 7	4. 1.88	"
Art. 8, Sch. 2	6. 4.88	"
Art. 9	6. 4.88	"
Art. 10	1.12.86	1986 No. 339 (C. 6)
Arts. 11 and 12	6. 4.88	1987 No. 161 (C. 6)

2088 Provision	<i>Social Security</i> Date of Commencement	No. 449 S.R. Number
Art. 13	6. 4.87	1986 No. 339 (C. 6)
Art. 14 (in certain respects)	4. 1.88	1987 No. 161 (C. 6)
Art. 14 (in all other respects)	6. 4.88	„
Arts. 15 and 16	1. 5.87	„
Art. 17 (in certain respects)	4. 1.88	„
Art. 17 (in all other respects)	6. 4.88	„
Art. 18	1. 5.87	„
Art. 19(1)	6. 4.87	1987 No. 121 (C. 4)
Art. 19(2) to (6)	6. 4.88	1987 No. 161 (C. 6)
Art. 20	6. 4.88	„
Art. 28 (partially)	6. 4.87	1987 No. 21 (C. 3)
Art. 33 (partially)	6. 4.87	„
Art. 37	11. 4.88	1987 No. 299 (C. 11)
Art. 39 (partially)	6. 4.87	1987 No. 21 (C. 3)
Art. 40, Sch. 3 (partially)	19.11.86	1986 No. 339 (C. 6)
Art. 40, Sch. 3 (partially)	6. 4.87	1987 No. 121 (C. 4)
Art. 40, Sch. 3 (partially)	11. 4.88	1987 No. 299 (C. 11)
Arts. 41 and 42	6. 4.87	1987 No. 21 (C. 3)
Art. 43 (with saving)	23.11.86	1986 No. 339 (C. 6)
Arts. 44 and 45	23.11.86	„
Art. 47 (partially)	15. 3.87	1987 No. 21 (C. 3)
Art. 47 (partially)	6. 4.87	„
Arts. 48 and 49	6. 4.87	„
Art. 50, Sch. 4 (partially)	15. 3.87	„
Art. 50, Sch. 4 (partially)	6. 4.87	„
Art. 51	6. 4.87	„

<i>No. 449</i>	<i>Social Security</i>	<i>2089</i>
<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. Number</i>
Art. 52 (partially)	19.11.86	1986 No. 339 (C. 6)
Art. 52 (partially)	6. 4.87	1987 No. 21 (C. 3)
Art. 52 (partially)	11. 4.88	1987 No. 299 (C. 11)
Art. 53, Sch. 5 (with saving)	6. 4.87	1987 No. 20 (C. 2)
Arts. 54 to 61	6. 4.87	1987 No. 21 (C. 3)
Art. 63	19.11.86	1986 No. 339 (C. 6)
Art. 66 (partially)	11. 4.88	1987 No. 299 (C. 11)
Art. 67, Sch. 6	11. 4.88	„
Art. 68 (partially)	19.11.86	1986 No. 339 (C. 6)
Art. 68 (partially)	6. 4.87	1987 No. 21 (C. 3)
Arts. 69 and 70	6. 4.87	„
Art. 72 (partially)	19.11.86	1986 No. 339 (C. 6)
Art. 74, Sch. 7 (partially)	6. 4.87	1987 No. 21 (C. 3)
Art. 76, Sch. 8 (partially)	6. 4.87	„
Art. 78	11. 4.88	1987 No. 299 (C. 11)
Art. 79 (partially)	6. 4.87	1987 No. 21 (C. 3)
Art. 79 (partially)	1. 5.87	1987 No. 161 (C. 6)
Art. 80 (partially)	6. 4.87	1987 No. 21 (C. 3)
Art. 80 (partially)	1. 5.87	1987 No. 161 (C. 6)
Art. 83(1), Sch. 9 (partially)	19.11.86	1986 No. 339 (C. 6)
Art. 83 (1), Sch. 9 (partially)	1.12.86	„
Art. 83(1), Sch. 9 (partially)	6. 4.87	„
Art. 83(1), Sch. 9 (partially)	6. 4.87	1987 No. 21 (C. 3)

2090 <i>Provision</i>	<i>Social Security Date of Commencement</i>	<i>No. 449 S.R. Number</i>
Art. 83(1), Sch. 9 (partially with saving)	6. 4.87	1987 No. 121 (C. 4)
Art. 83(1), Sch. 9 (partially)	1. 5.87	1987 No. 161 (C. 6)
Art. 83(1), Sch. 9 (partially)	21. 7.87	1987 No. 299 (C. 11)
Art. 83(1), Sch. 9 (partially)	4. 1.88	1987 No. 161 (C. 6)
Art. 83(1), Sch. 9 (partially)	6. 4.88	,,
Art. 83(1), Sch. 9 (partially)	11. 4.88	1987 No. 299 (C. 11)
Art. 83(2), Sch. 10 (partially)	19.11.86	1986 No. 339 (C. 6)
Art. 83(2), Sch. 10 (partially)	23.11.86	,,
Art. 83(2), Sch. 10 (partially)	1.12.86	,,
Art. 83(2), Sch. 10 (partially)	6. 4.87	1987 No. 21 (C. 3)
Art. 83(2), Sch. 10 (partially with saving)	6. 4.87	1987 No. 121 (C. 4)
Art. 83(2), Sch. 10 (partially with saving)	7. 4.87	1987 No. 21 (C. 3)
Art. 83(2), Sch. 10 (partially)	4. 1.88	1987 No. 161 (C. 6)
Art. 83(2), Sch. 10 (partially)	6. 4.88	,,
Art. 83(2), Sch. 10 (partially)	11. 4.88	1987 No. 299 (C. 11)

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This Order has been exempted from printing by the Statutory Rules (Northern Ireland) Order 1979. A summary is given in the List of Statutory Rules of a Local Character under the heading ROAD TRAFFIC AND VEHICLES.