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STATUTORY RULES OF NORTHERN IRELAND

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**2005 No. 14**

**The Social Security (Claims and Payments and  
Payments on account, Overpayments and Recovery)  
(Amendment) Regulations (Northern Ireland) 2005**

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

2.—(1) The Social Security (Claims and Payments) Regulations (Northern Ireland) 1987<sup>(1)</sup> shall be amended in accordance with paragraphs (2) to (4).

(2) In regulation 4 (making a claim for benefit) –

(a) in paragraph (1)(2) at the beginning there shall be inserted “Subject to paragraphs (10) and (11),”; and

(b) after paragraph (10)(3) there shall be added the following paragraphs –

“(11) A claim for graduated retirement benefit or retirement pension may be made by telephone call to the telephone number specified by the Department, unless the Department directs, in any particular case, that the claim must be made in writing.

(12) A claim made by telephone in accordance with paragraph (11) is defective unless the Department is provided, during that telephone call, with all the information it requires to determine the claim.

(13) Where a claim made by telephone is defective, the Department may refer the claim to the person making it.

(14) If the person corrects the defect within one month, or such longer period as the Department considers reasonable, of the date it referred the claim to the person, the Department shall treat the claim as if it had been duly made in the first instance.”.

(3) In regulation 5(1) (amendment and withdrawal of claim) after “office” there shall be inserted “except where the claim was made by telephone in accordance with regulation 4(11), where the amendment may be made by telephone.”.

(4) In regulation 6(1)(4) (date of claim) after sub-paragraph (b) there shall be added the following sub-paragraphs –

“(c) in the case of a claim made by telephone in accordance with regulation 4(11), the date of that telephone call;

(d) in the case of a claim made by telephone which is defective but which is treated under regulation 4(14) as having been duly made, the date of that telephone call.”.

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(1) [S.R. 1987 No. 465](#); relevant amending regulations are [S.R. 1992 No. 83](#), [S.R. 1997 No. 156](#), [S.R. 2001 No. 176](#) and [S.R. 2003 No. 191](#)

(2) Paragraph (1) was amended by regulation 7(3) of [S.R. 1992 No. 83](#) and regulation 3(3)(a) of [S.R. 1997 No. 156](#)

(3) Paragraph (10) was added by regulation 4(1) of [S.R. 2003 No. 191](#)

(4) Paragraph (1) was amended by regulation 3(4)(a) of [S.R. 1997 No. 156](#) and paragraph 3 of Schedule 3 to [S.R. 2001 No. 176](#)