

Status: Point in time view as at 01/07/1992.

Changes to legislation: There are currently no known outstanding effects for the Social Security (Consequential Provisions) (Northern Ireland) Act 1992, SCHEDULE 2. (See end of Document for details)

SCHEDULES

SCHEDULE 2

Section 4.

CONSEQUENTIAL AMENDMENTS

Law Reform (Miscellaneous Provisions) Act (Northern Ireland) 1948 (c. 23 (N.I.))

- 1 In section 3 of the Law Reform (Miscellaneous Provisions) Act (Northern Ireland) 1948—
- (a) in subsection (1)(a), for the words “Article 24 of the Social Security (Northern Ireland) Order 1989” there shall be substituted the words “section 77 of the Social Security Administration (Northern Ireland) Act 1992”; and
 - (b) in subsection (1A), for the words “paragraph 4(1) of Schedule 4 to the Social Security (Northern Ireland) Order 1989” there shall be substituted the words “section 81(1) of the Social Security Administration (Northern Ireland) Act 1992”.

Employment and Training Act (Northern Ireland) 1950 (c. 29 (N.I.))

- 2 (1) In section 5(3) of the Employment and Training Act (Northern Ireland) 1950 for the words “paragraph 1 of Schedule 3 to the Social Security (Northern Ireland) Act 1975” there shall be substituted the words “paragraph 1 or 2 of Schedule 3 to the Social Security Contributions and Benefits (Northern Ireland) Act 1992”.
- (2) In section 5(4) of that Act for the words “the Social Security (Northern Ireland) Act 1975” there shall be substituted the words “the Social Security Contributions and Benefits (Northern Ireland) Act 1992”.

Judicial Pensions Act (Northern Ireland) 1951 (c. 20 (N.I.))

- 3 (1) In sections 3, 16 and 20 of the Judicial Pensions Act (Northern Ireland) 1951 for the words “National Insurance” there shall be substituted the words “Social Security”.
- (2) In section 22(1) of that Act for the definition of “National Insurance Commissioner” there shall be substituted the following definition—
- ““Social Security Commissioner” means a Social Security Commissioner appointed under section 50(1) of the Social Security Administration (Northern Ireland) Act 1992;”.

Registration of Births, Deaths and Marriages (Fees, etc.)

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Act (Northern Ireland) 1955 (c. 29 (N.I.))

- 4 In the Second Schedule to the Registration of Births, Deaths and Marriages (Fees, etc.) Act (Northern Ireland) 1955 for the entry relating to the Child Benefit (Northern Ireland) Order 1975 there shall be substituted the following entries—

“The Social Security Contributions and Benefits (Northern Ireland) Act 1992.

The Social Security Administration (Northern Ireland) Act 1992.”.

Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965 (c. 19 (N.I.))

- 5 (1) In section 27(4B) and (6) of the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965 after “1975” there shall be inserted the words “ or the Social Security Contributions and Benefits (Northern Ireland) Act 1992”.
- (2) In section 55(1) of that Act for the words “the Social Security (Northern Ireland) Act 1975” there shall be substituted the words “ the Social Security Contributions and Benefits (Northern Ireland) Act 1992”.

Maintenance and Affiliation Orders Act (Northern Ireland) 1966 (c. 35 (N.I.))

- 6 In section 10(2)(e) of the Maintenance and Affiliation Orders Act (Northern Ireland) 1966 for the words “Article 25 of the Social Security (Northern Ireland) Order 1986” there shall be substituted the words “ section 101 of the Social Security Administration (Northern Ireland) Act 1992”.

Children and Young Persons Act (Northern Ireland) 1968 (c. 34 (N.I.))

- 7 In section 20(2)(a) of the Children and Young Persons Act (Northern Ireland) 1968 for the words “the Social Security (Northern Ireland) Order 1986” there shall be substituted the words “ Part VII of the Social Security Contributions and Benefits (Northern Ireland) Act 1992”.

Social Services (Parity) Act (Northern Ireland) 1971 (c. 21 (N.I.))

- 8 (1) In section 2 of the Social Services (Parity) Act (Northern Ireland) 1971 for the words “section 129(5) of the Social Security (Northern Ireland) Act 1975” there shall be substituted the words “ section 145(5) of the Social Security Administration (Northern Ireland) Act 1992”.
- (2) In Schedule 1 to that Act for the entries relating to the Social Security Act 1975 and the Industrial Injuries and Diseases (Old Cases) Act 1975 there shall be substituted the following entries—

“The Social Security Contributions and Benefits Act 1992.

The Social Security Administration Act 1992.”.

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Health and Personal Social Services (Northern Ireland) Order 1972 (S.I. 1972 No. 1265 (N.I. 14))

- 9 In Article 2(2) of the Health and Personal Social Services (Northern Ireland) Order 1972 for the definition of “trade dispute” there shall be substituted the following definition—

““trade dispute” has the same meaning as in section 27 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992;”.

Social Security (Northern Ireland) Act 1975 (c. 15)

- 10 (1) In Schedule 10 to the Social Security (Northern Ireland) Act 1975 at the end of paragraph 5 there shall be added the following sub-paragraph—

“(3) This paragraph and paragraphs 6, 7 and 7A shall have effect as if contained in the Social Security Administration (Northern Ireland) Act 1992.”.

- (2) In paragraph 6(1) of that Schedule for head (a) there shall be substituted the following head—

“(a) if he retires pursuant to paragraph 1 of Schedule 2 to the Social Security Administration (Northern Ireland) Act 1992;”.

Social Security (Consequential Provisions) Act 1975 (c. 18)

- 11 In section 2(3)(b) of the Social Security (Consequential Provisions) Act 1975 for the words “sections 155 and 156(4) to (6) of the Social Security (Northern Ireland) Act 1975” there shall be substituted the words “ sections 165 and 166(4), (6) and (11) of the Social Security Administration (Northern Ireland) Act 1992”.

House of Commons Disqualification Act 1975 (c. 24)

- 12 In Schedule 1 to the House of Commons Disqualification Act 1975—

- (a) in Part I, for the entry beginning “Chief or other Social Security Commissioner for Northern Ireland” there shall be substituted the following entry— “ Chief or other Social Security Commissioner for Northern Ireland (not including a deputy Commissioner).”;
(b) in Part III, in the entry beginning “Adjudicating medical practitioner” for the words “Part III of the Social Security (Northern Ireland) Act 1975” there shall be substituted the words “ Part II of the Social Security Administration (Northern Ireland) Act 1992”;
(c) in Part III, in the entry beginning “Member of a Medical Appeal Tribunal for Northern Ireland” for the words “paragraph 2(2) of Schedule 12 to the Social Security (Northern Ireland) Act 1975” there shall be substituted the words “ section 48(2) of the Social Security Administration (Northern Ireland) Act 1992”;
(d) in Part III, for the entry beginning “Member of the panel of chairmen for Social Security Appeal Tribunals for Northern Ireland” there shall be substituted the following entry— “ Member of the panel of chairmen for Social Security Appeal Tribunals, Medical Appeal Tribunals and Disability Appeal Tribunals for Northern Ireland appointed under section 49(1)(c) of the Social Security Administration (Northern Ireland) Act 1992.”.

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Northern Ireland Assembly Disqualification Act 1975 (c. 25)

- 13 In Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975—
- (a) in Part I, for the entry “Chief or other National Insurance Commissioner for Northern Ireland” there shall be substituted the following entry— “ Chief or other Social Security Commissioner for Northern Ireland (not including a deputy Commissioner)”;
 - (b) in Part II, in the entry beginning “A Medical Appeal Tribunal” for the words “Part III of the Social Security (Northern Ireland) Act 1975” there shall be substituted the words “ Part II of the Social Security Administration (Northern Ireland) Act 1992”;
 - (c) in Part II, the entry beginning “A Medical Board” shall cease to have effect;
 - (d) in Part III, at the appropriate place in alphabetical order, there shall be inserted the following entry— “ Adjudicating medical practitioner or specially qualified adjudicating medical practitioner appointed under or by virtue of Part II of the Social Security Administration (Northern Ireland) Act 1992”;
 - (e) in Part III for the entry beginning “A full-time Chairman of Social Security Appeal Tribunals” there shall be substituted the following entry— “ Full-time Chairman of Social Security Appeal Tribunals, Medical Appeal Tribunals and Disability Appeal Tribunals for Northern Ireland.”;
 - (f) in Part III for the entry beginning “the President of Social Security Appeal Tribunals” there shall be substituted the following entry— “ President of Social Security Appeal Tribunals, Medical Appeal Tribunals and Disability Appeal Tribunals for Northern Ireland.”.

Social Security Pensions (Northern Ireland) Order 1975 (S.I. 1975 No. 1503 (N.I. 15))

- 14 (1) The Social Security Pensions (Northern Ireland) Order 1975 shall be amended as follows.
- (2) In Article 2(2)—
- (a) the following definition shall be inserted before the definition of “average salary benefits” — “the Administration Act” means the Social Security Administration (Northern Ireland) Act 1992;”; and
 - (b) the following definition shall be inserted after that definition— “the Contributions and Benefits Act” means the Social Security Contributions and Benefits (Northern Ireland) Act 1992;”.
- (3) In Article 2(3) for the words “Article 31” there shall be substituted the words “ Articles 31 to 31C”.
- (4) In Article 28(1)(a) for the words “the principal Act” there shall be substituted the words “ the Contributions and Benefits Act”.
- (5) In Article 28 after paragraph (1) there shall be inserted the following paragraph—
- “(1A) This Part shall also have effect, where an occupational pension scheme so provides or falls to be treated as so providing, for the purpose of making provision in relation—

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- (a) to invalidity allowance under section 34 of the Contributions and Benefits Act;
 - (b) to increases of Category A retirement pensions for invalidity under section 47 of that Act; and
 - (c) to increases of unemployability supplement under paragraph 3 of Schedule 7 to that Act.”.
- (6) In Article 29(5) for the words “Article 5” there shall be substituted the words “section 19(4) of the Contributions and Benefits Act”.
- (7) In Article 31(1)(a) for the words “Article 18” there shall be substituted the words “section 41 of the Contributions and Benefits Act”.
- (8) In Article 31(2) and (2A) for the words “sections 16(2B), 28(7A) and 59(1A) of the principal Act” there shall be substituted the words “Articles 31A, 31B and 31C”.
- (9) In Article 31(3) after the words “this Article” there shall be inserted the words “and in Articles 31A, 31B and 31C”.
- (10) After Article 31 there shall be inserted the following Articles—

Contracting-out and invalidity allowance

“31A(1) Where for any period—

- (a) a person is entitled to one or more guaranteed minimum pensions; and
- (b) he is also entitled to an invalidity pension under section 33 of the Contributions and Benefits Act; and
- (c) the weekly rate of his invalidity pension includes an additional pension such as is mentioned in section 44(3)(b) of that Act,

for that period section 34 of that Act shall have effect as if the following subsection were substituted for subsection (5)—

(”) In this section “the relevant amount” means an amount equal to the aggregate of—

- (a) an amount equal to the additional pension; and
- (b) an amount equal to the weekly rate or aggregate weekly rates of the guaranteed minimum pension or pensions,

reduced by the amount of any reduction in the weekly rate of the invalidity pension made by virtue of Article 31 of the Pensions Order.”.

(2) Where for any period—

- (a) a person is entitled to one or more guaranteed minimum pensions; and
- (b) he is also entitled to an invalidity pension under section 33 of the Contributions and Benefits Act; and
- (c) the weekly rate of his invalidity pension does not include an additional pension such as is mentioned in section 44(3)(b) of that Act,

for that period the relevant amount shall be deducted from the appropriate weekly rate of invalidity allowance and he shall be entitled to invalidity allowance only if there is a balance after the deduction and, if there is such a balance, at a weekly rate equal to it.

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- (3) In paragraph (2) “the relevant amount” means an amount equal to the weekly rate or aggregate weekly rates of the guaranteed minimum pension or pensions reduced by the amount of any reduction in the weekly rate of the invalidity pension made by virtue of Article 31.
- (4) Where paragraph (2) applies, section 34(7) of the Contributions and Benefits Act shall have effect as if for the words “subsection (4) above” there were substituted the words “Article 31A(2) of the Pensions Order”.

Contracting-out and increases of Category A retirement pension for invalidity

31B(1) Where for any period—

- (a) a person is entitled to one or more guaranteed minimum pensions; and
- (b) he is also entitled to a Category A retirement pension under section 44 of the Contributions and Benefits Act; and
- (c) the weekly rate of his pension includes an additional pension such as is mentioned in section 44(3)(b) of that Act,

for that period section 47 of that Act shall have effect as if the following subsection were substituted for subsection (3)—

- (”) In subsection (2) above “the relevant amount” means an amount equal to the aggregate of—
- (a) an amount equal to the additional pension; and
 - (b) an amount equal to the weekly rate or aggregate weekly rates of the guaranteed minimum pension or pensions,
- reduced by the amount of any reduction in the weekly rate of the Category A retirement pension made by virtue of Article 31 of the Pensions Order.”.

(2) Where for any period—

- (a) a person is entitled to one or more guaranteed minimum pensions; and
- (b) he is also entitled to a Category A retirement pension under section 44 of the Contributions and Benefits Act; and
- (c) the weekly rate of his Category A retirement pension does not include an additional pension such as is mentioned in section 44(3)(b) of that Act,

for that period the relevant amount shall be deducted from the amount that would otherwise be the increase under section 47(1) of that Act and the pensioner shall be entitled to an increase under that subsection only if there is a balance remaining after that deduction and, if there is such a balance, of an amount equal to it.

- (3) In paragraph (2) “the relevant amount” means an amount equal to the weekly rate or aggregate weekly rates of the guaranteed minimum pension or pensions reduced by the amount of any reduction in the weekly rate of the Category A retirement pension made by virtue of Article 31.

Contracting-out and increases of unemployment supplement

31C(1) Where for any period—

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- (a) a person is entitled to one or more guaranteed minimum pensions; and
 - (b) he is also entitled—
 - (i) to an invalidity pension under section 33 of the Contributions and Benefits Act;
 - (ii) to a Category A retirement pension under section 44 of that Act; or
 - (iii) to a Category B retirement pension under section 49 of that Act; and
 - (c) the weekly rate of the pension includes an additional pension such as is mentioned in section 44(3)(b) of that Act,
for that period paragraph 3 of Schedule 7 to that Act shall have effect as if the following sub-paragraph were substituted for sub-paragraph (3)—
 - (”) In this paragraph “the relevant amount” means an amount equal to the aggregate of—
 - (a) an amount equal to the additional pension; and
 - (b) an amount equal to the weekly rate or aggregate weekly rates of the guaranteed minimum pension or pensions,
reduced by the amount of any reduction in the weekly rate of the pension made by virtue of Article 31 of the Pensions Order.”.
- (2) Where for any period—
- (a) a person is entitled to one or more guaranteed minimum pensions; and
 - (b) he is also entitled to any of the pensions under the Contributions and Benefits Act mentioned in paragraph (1)(b); and
 - (c) the weekly rate of the pension does not include an additional pension such as is mentioned in section 44(3)(b) of that Act,
for that period the relevant amount shall be deducted from the amount that would otherwise be the increase under that paragraph and the beneficiary shall be entitled to an increase only if there is a balance after that deduction and, if there is such a balance, only to an amount equal to it.
- (3) In paragraph (2) “the relevant amount” means an amount equal to the weekly rate or aggregate weekly rates of the guaranteed minimum pension or pensions.”.
- (11) In Article 35(1A) for the words “Article 5” there shall be substituted the words “section 19(4) of the Contributions and Benefits Act”.
- (12) In Article 37(2ZA) for the words “Article 5” there shall be substituted the words “section 19(4) of the Contributions and Benefits Act”.
- (13) In Article 37(5) and (7) for the words “Article 23” there shall be substituted the words “section 130 of the Administration Act”.
- (14) In Article 38(6) for the words “section 27(6) of the principal Act” there shall be substituted the words “section 43(1) of the Contributions and Benefits Act”.
- (15) In Article 39A(2) for the words from “sections” to “Article 31(1)” there shall be substituted the words “Articles 31(1), 31A(1) and (2), 31B(1) and (2) and 31C(1)

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and (2)” and for the words “subsections and that paragraph” there shall be substituted the word “ paragraphs”.

- (16) In Articles 43C(4A), 46(6)(a) and 47(3)(a) for the words “Article 23” there shall be substituted the words “ section 130 of the Administration Act”.
- (17) In Article 52A(10) for the words “section 4(3) of the principal Act” there shall be substituted the words “ section 6(3) of the Contributions and Benefits Act”.
- (18) In Article 53D(1) for the words “sections 16(2B), 28(7A) and 59(1A) of the principal Act and Article 31(1)” there shall be substituted the words “ Articles 31(1), 31A, 31B and 31C”.
- (19) In Article 69(1) for the words “Article 64 of the Social Security (Northern Ireland) Order 1986” there shall be substituted the words “ section 132 of the Administration Act”.
- (20) In Article 70—
- (a) in paragraph (1) for the words “section 93(1) of the principal Act” there shall be substituted the words “ section 15(1) of the Administration Act”;
 - (b) in paragraph (3) for the words “section 93(1) nor section 98(1) of the principal Act” there shall be substituted the words “ section 15(1) nor section 18(1) of the Administration Act”.
- (21) After Article 70ZA there shall be inserted the following Articles—

Offences relating to state scheme premiums

“70ZB If a person fails to pay, at or within the time prescribed for the purpose, any state scheme premium which is payable by him, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Questions arising in proceedings

70Z(1) Where in any proceedings—

- (a) for an offence under this Order; or
 - (b) involving any question as to payment of a state scheme premium, any such question arises as is mentioned in Article 70(1), the decision of the Department shall be conclusive for the purposes of the proceedings.
- (2) If—
- (a) a decision of any such question is necessary for the determination of proceedings; and
 - (b) the decision of the Department has not been obtained or a question has been raised with a view to a review of the decision obtained, the question shall be referred to the Department for determination or review in accordance (subject to any necessary modifications) with sections 15 to 17 of the Administration Act.
- (3) Paragraph (1) does not apply if—
- (a) an appeal under section 16 of that Act is pending; or
 - (b) the time for appealing has not expired; or

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- (c) a question has been raised with a view to a review of the Department's decision under section 17 of that Act, and the court dealing with the case shall adjourn the proceedings until such time as a final decision on the question has been obtained.

Recovery of unpaid state scheme premiums on prosecution

70ZD Where—

- (a) a person has been convicted of an offence under Article 70ZB of failing to pay a state scheme premium at or within the time prescribed for the purpose; and
- (b) the premium remains unpaid at the date of the conviction, he shall be liable to pay to the Department a sum equal to the amount which he failed to pay.

Proof of previous offences

70ZE) Subject to paragraph (2), where a person is convicted of an offence mentioned in Article 70ZD, evidence may be given of any previous failure by him to pay state scheme premiums within the time prescribed for the purpose; and in that Article “the conviction” and “the offence” mean respectively the conviction referred to in this paragraph and the offence of which the person is convicted.

- (2) Such evidence may be given only if notice of intention to give it is served with the summons or warrant on which the person appeared before the court which convicted him.

Unpaid premiums - supplementary

70ZF) Where a person charged with an offence to which Article 70ZD applies is convicted of that offence in his absence under Article 24(2) of the Magistrates' Courts (Northern Ireland) Order 1981, then if—

- (a) it is proved to the satisfaction of the court, on oath or by affidavit or in the manner prescribed by magistrates' courts rules, that notice under Article 70ZE(2) has been duly served specifying the other premiums in respect of which the complainant intends to give evidence; and
- (b) the clerk of petty sessions has received a statement in writing purporting to be made by the accused or by a solicitor acting on his behalf to the effect that if the accused is convicted in his absence of the offence charged he desires to admit failing to pay the other premiums so specified or any of them,

Article 70ZE shall have effect as if the evidence had been given and the failure so admitted had been proved, and the court shall proceed accordingly.

(2) Where—

- (a) a person is convicted of an offence to which Article 70ZD applies; and
- (b) an order is made under the Probation Act (Northern Ireland) 1950 placing the offender on probation or discharging him absolutely or conditionally,

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Articles 70ZD and 70ZE and paragraph (1) shall apply as if it were a conviction for all purposes.

- (3) Any sum which a person is liable to pay under Articles 70ZD and 70ZE and paragraph (1) shall be recoverable from him as a penalty.
 - (4) State scheme premiums recovered by the Department under those provisions are to be treated for all purposes as premiums paid to the Department in respect of the person in respect of whom they were originally payable.”.
- (22) In Article 71 for paragraphs (1) to (3) there shall be substituted the following paragraphs—
- “(1) Regulations prescribing actuarial tables for the purposes of Articles 46(7), 46ZA(14), 46A(3) and 47(4) shall be laid before the Assembly after being made and shall take effect on such date as may be specified in the regulations, but shall (without prejudice to the validity of anything done thereunder or to the making of new regulations) cease to have effect upon the expiration of a period of six months from that date unless at some time before the expiration of that period the regulations have been approved by a resolution of the Assembly.
 - (2) All regulations and orders made by the Department under this Order other than—
 - (a) regulations to which paragraph (1) applies; and
 - (b) any order which under any provision of this Order is required to be laid before the Assembly after being made,
 shall be subject to negative resolution.
 - (3) Orders made by the appropriate authority under Article 61 shall be subject to negative resolution.”.
- (23) After Article 71 there shall be inserted the following Articles—

Consultation with Social Security Advisory Committee about regulations

- “71A(1) Subject to paragraph (2) and to section 150 of the Administration Act, where the Department proposes to make regulations under Article 52A(10), Part VA, Article 69J or Article 70ZA it shall refer the proposals, in the form of draft regulations or otherwise, to the Social Security Advisory Committee (“the Committee”).
- (2) Paragraph (1) does not apply to the regulations specified in Schedule 5 to the Administration Act.
- (3) The Committee shall consider any proposals referred to it by the Department under paragraph (1) and shall make to the Department a report containing such recommendations with regard to the subject-matter of the proposals as the Committee thinks appropriate.
- (4) If after receiving a report of the Committee the Department lays before the Assembly any regulations which comprise the whole or any part of the subject-matter of the proposals referred to the Committee, the Department shall lay with the regulations a copy of the Committee’s report and a statement showing—

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- (a) the extent (if any) to which the Department has, in framing the regulations, given effect to the Committee's recommendations; and
- (b) in so far as effect has not been given to them, the Department's reasons why not.

Regulations and orders (general provisions)

71B (1) Except in so far as this Order otherwise provides, any power conferred by this Order to make regulations or an order may be exercised—

- (a) either in relation to all cases to which the power extends, or in relation to those cases subject to specified exceptions, or in relation to any specified cases or classes of case;
- (b) so as to make, as respects the cases in relation to which it is exercised—
 - (i) the full provision to which the power extends or any less provision (whether by way of exception or otherwise);
 - (ii) the same provision for all cases in relation to which the power is exercised, or different provision for different cases or different classes of case or different provision as respects the same case or class of case for different purposes of this Order;
 - (iii) any such provision either unconditionally or subject to any specified condition;

and where such a power is expressed to be exercisable for alternative purposes it may be exercised in relation to the same case for any or all of those purposes; and powers to make regulations or an order for the purposes of any one provision of this Order are without prejudice to powers to make regulations or an order for the purposes of any other provision.

- (2) Without prejudice to any specific provision in this Order, a power conferred by this Order to make regulations or an order includes power to make such incidental, supplementary, consequential or transitional provision as appears to the authority making the regulations or order to be expedient for the purposes of the regulations or order.
 - (3) Without prejudice to any specific provision in this Order, a power conferred by this Order to make regulations or an order includes power to provide for a person to exercise a discretion in dealing with any matter.
 - (4) A power conferred by this Order on the Department to make any regulations or order, where the power is not expressed to be exercisable with the consent of the Department of Finance and Personnel, shall if the Department of Finance and Personnel so directs be exercisable only in conjunction with it.”.
- (24) In Article 73(1) for the words “Subsection (5) of section 129 of the principal Act” there shall be substituted the words “Section 145(5) of the Administration Act” and for the words “subsection (3)(a) of that section” there shall be substituted the words “section 143(2)(a) of that Act”.
- (25) In paragraph 8(a)(i) of Schedule 1A for the words from “under” to the end there shall be substituted the words “under section 132 of the Administration Act; or”.

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- (26) In paragraph 6(3)(c) of Schedule 2 for the words “the principal Act” there shall be substituted the words “ the Contributions and Benefits Act”.

Births and Deaths Registration (Northern Ireland) Order 1976 (S.I. 1976 No. 1041 (N.I. 14))

- 15 In Schedule 1 to the Births and Deaths Registration (Northern Ireland) Order 1976 for the entry relating to the Child Benefit (Northern Ireland) Order 1975 there shall be substituted the following entries—

“The Social Security Contributions and Benefits (Northern Ireland) Act 1992.

The Social Security Administration (Northern Ireland) Act 1992.”.

Industrial Relations (Northern Ireland) Order 1976 (S.I. 1976 No. 1043 (N.I. 16))

- 16 (1) The Industrial Relations (Northern Ireland) Order 1976 shall be amended as follows.
- (2) In Article 43(4) for “1986” there shall be substituted “ 1986 or Part XII of the Social Security Contributions and Benefits (Northern Ireland) Act 1992”.
- (3) In Article 72(2) for sub-paragraph (a) there shall be substituted the following sub-paragraph—
- “(a) confer powers and impose duties on industrial tribunals and on adjudication officers and other persons;”.
- (4) In Article 72(4) for the words “the Social Security (Northern Ireland) Order 1986” there shall be substituted the words “ Part III or V of the Social Security Administration (Northern Ireland) Act 1992”.
- (5) In Article 72(7) for the words “the Social Security (Northern Ireland) Act 1975” there shall be substituted the words “ the Social Security Contributions and Benefits (Northern Ireland) Act 1992”.

Social Security (Miscellaneous Provisions) (Northern Ireland) Order 1977 (S.I. 1977 No. 610 (N.I. 11))

- 17 (1) In Article 17(1)(a) of the Social Security (Miscellaneous Provisions) (Northern Ireland) Order 1977 after the words “Pensions Order” there shall be inserted the words “ or section 130 of the Social Security Administration (Northern Ireland) Act 1992”.
- (2) In Article 17 of that Order for paragraph (3) there shall be substituted the following paragraph—
- “(3) In this Article—
- “earner” and “earnings” are to be construed in accordance with sections 3, 4 and 112 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992;
- “earnings factors” is to be construed in accordance with sections 22 and 23 of that Act;

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“tax year” has the meaning assigned to it by section 121(1) of that Act,

and expressions used in Part IV of the Pensions Order have the same meanings as in that Part.”.

(3) In Article 19 of that Order for paragraphs (1) and (2) there shall be substituted the following paragraphs—

“(1) Section 165(4), (5) and (10) of the Social Security Administration (Northern Ireland) Act 1992 shall have effect as if references to that Act included references to this Order.

(2) A power under any of sections 116 to 119 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 or sections 153 to 155 of the Social Security Administration (Northern Ireland) Act 1992 to make provision by regulations or order for modifications or adaptations of those Acts shall be exercisable in relation to any provision in this Order.”.

(4) In Article 20 of that Order for the words “Subsection (5) of section 129 of the principal Act” there shall be substituted the words “ Section 145(5) of the Social Security Administration (Northern Ireland) Act 1992” and for the words “subsection (3)(a) of that section” there shall be substituted the words “ section 143(2)(a) of that Act”.

Agricultural Wages (Regulation) (Northern Ireland) Order 1977 (S.I. 1977 No. 2151 (N.I. 22))

18 In Article 5(2)(e) of the Agricultural Wages (Regulation) (Northern Ireland) Order 1977 for the words from “Social Security (Northern Ireland) Act 1975” to the end there shall be substituted the words “ Social Security Contributions and Benefits (Northern Ireland) Act 1992”.

Rent (Northern Ireland) Order 1978 (S.I. 1978 No. 1050 (N.I. 20))

19 The following Article shall be inserted after Article 25 of the Rent (Northern Ireland) Order 1978—

“ Amounts attributable to services

25A In order to assist the Executive to give effect to the housing benefit scheme under Part VII of the Social Security Contributions and Benefits (Northern Ireland) Act 1992, where a rent is registered under this Part, there shall be noted on the register the amount (if any) of the registered rent which, in the opinion of the rent officer or rent assessment committee, is fairly attributable to the provision of services, except any amount which is negligible in the opinion of the officer or, as the case may be, the committee.”.

Capital Gains Tax Act 1979 (c. 14)

20 In sub-paragraph (2) of paragraph 5 of Schedule 1 to the Capital Gains Tax Act 1979—

(a) for the words “section 35 of the Social Security (Northern Ireland) Act 1975” there shall be substituted the words “ section 64 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992”; and

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- (b) for the words “section 37ZA of the Social Security (Northern Ireland) Act 1975” there shall be substituted the words “ section 71 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992”.

Vaccine Damage Payments Act 1979 (c. 17)

- 21 In section 1(4) of the Vaccine Damage Payments Act 1979 for the words “section 57 of the Social Security (Northern Ireland) Act 1975” there shall be substituted the words “ section 103 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992”.

Pneumoconiosis etc. (Workers’ Compensation) (Northern Ireland) Order 1979 (S.I. 1979 No. 925 (N.I. 9))

- 22 (1) In Article 2(2) of the Pneumoconiosis, etc. (Workers’ Compensation) (Northern Ireland) Order 1979 after the words “section 76 of the Social Security (Northern Ireland) Act 1975” wherever they occur there shall be inserted the words “ or section 108 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992”.
- (2) In Article 2(3) of that Order for the words “(Northern Ireland) Act 1975” there shall be substituted the words “ Contributions and Benefits (Northern Ireland) Act 1992 or the Social Security Administration (Northern Ireland) Act 1992” and for the words “that Act” there shall be substituted the words “ either of those Acts”.
- (3) In Article 8 of that Order—
- (a) for the words “Section 94 of the Social Security (Northern Ireland) Act 1975” there shall be substituted the words “ Section 16 of the Social Security Administration (Northern Ireland) Act 1992”;
- (b) for the words “section 93(1)” and “section 94” there shall be substituted the words “ section 15(1)” and “ section 16” respectively.

Road Traffic (Northern Ireland) Order 1981 (S.I. 1981 No. 154 (N.I. 1))

- 23 In Article 129C(2)(a) of the Road Traffic (Northern Ireland) Order 1981—
- (a) in head (i) for the words “section 35 of the Social Security (Northern Ireland) Act 1975” there shall be substituted the words “ section 64 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992”;
- (b) in head (iA) for “37ZA” there shall be substituted “ 71”;
- (c) in head (iii) for “57” there shall be substituted “ 103” and for “61(1)” there shall be substituted “ 104(1)”.

Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 (S.I. 1981 No. 228 (N.I. 8))

- 24 In Part I of Schedule 1 to the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 in paragraph 3(g) for the words “Article 25 of the Social Security (Northern Ireland) Order 1986” there shall be substituted the words “ section 101 of the Social Security Administration (Northern Ireland) Act 1992”.

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Magistrates' Courts (Northern Ireland) Order 1981 (S.I. 1981 No. 1675 (N.I. 26))

- 25 In Articles 88 and 98(11) of the Magistrates' Courts (Northern Ireland) Order 1981 for the words "or Article 25 of the Social Security (Northern Ireland) Order 1986" there shall be substituted the words " or section 101 of the Social Security Administration (Northern Ireland) Act 1992".

Forfeiture (Northern Ireland) Order 1982 (S.I. 1982 No. 1082 (N.I. 14))

- 26 (1) In Article 6(2) of the Forfeiture (Northern Ireland) Order 1982 for the words "section 115 of the Social Security (Northern Ireland) Act 1975" there shall be substituted the words " section 57 of the Social Security Administration (Northern Ireland) Act 1992".
- (2) In Article 6(4) of that Order for the words "Section 155(2) to (3A) of the Social Security (Northern Ireland) Act 1975" there shall be substituted the words " Section 171(3) to (5) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992".
- (3) In Article 6(5) of that Order for the words "(Northern Ireland) Act 1975" there shall be substituted the words " Administration (Northern Ireland) Act 1991" and the following entry shall be added after the entry relating to the Social Security (Northern Ireland) Acts 1975 to 1992—

"The Social Security Contributions and Benefits (Northern Ireland) Act 1992,".

Social Security (Northern Ireland) Order 1982 (S.I. 1982 No. 1084 (N.I. 16))

- 27 In Article 36(1) of the Social Security (Northern Ireland) Order 1982 for the words from the beginning to "principal Act" there shall be substituted the words " Section 165(4), (5) and (10) of the Social Security Administration (Northern Ireland) Act 1992".

Value Added Tax Act 1983 (c. 55)

- 28 In the seventh note to Group 14 of Schedule 5 to the Value Added Tax Act 1983 for the words "section 37ZA of the Social Security (Northern Ireland) Act 1975" there shall be substituted the words " section 71 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992".

Inheritance Tax Act 1984 (c. 51)

- 29 (1) In paragraph (b) of sections 74(4) and 89(4) of the Inheritance Tax Act 1984 for the words "section 35 of the Social Security (Northern Ireland) Act 1975" there shall be substituted the words " section 64 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992".
- (2) In paragraph (c) of those subsections for the words "section 37ZA of the Social Security (Northern Ireland) Act 1975" there shall be substituted the words " section 71 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992".

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Industrial Training (Northern Ireland) Order 1984 (S.I. 1984 No. 1159 (N.I. 9))

- 30 (1) In Article 32 of the Industrial Training (Northern Ireland) Order 1984—
- (a) in paragraph (1) for the words “Chapter IV of Part II of the Social Security (Northern Ireland) Act 1975” there shall be substituted the words “Part V of the Social Security Contributions and Benefits (Northern Ireland) Act 1992” and for the words “sections 52 to 54” there shall be substituted the words “sections 98 to 100”;
 - (b) in paragraph (2) for the words “section 52” there shall be substituted the words “section 98”;
 - (c) in paragraph (3) for the words “section 53” there shall be substituted the words “section 99”;
 - (d) in paragraph (4) for the words “section 54” there shall be substituted the words “section 100”.
- (2) In Article 33(1) of that Order for the words “Part II of the Social Security (Northern Ireland) Act 1975” there shall be substituted the words “the Social Security Contributions and Benefits (Northern Ireland) Act 1992” and for the words “Chapter IV of that Part” there shall be substituted the words “Part V of that Act”.

Social Security (Northern Ireland) Order 1985 (S.I. 1985 No. 1209 (N.I. 16))

- 31 (1) In Article 1(9) of the Social Security (Northern Ireland) Order 1985 for the words “Subsections (2) and (3) of section 155 of the principal Act” there shall be substituted the words “Subsections (4) and (5) of section 165 of the Social Security Administration (Northern Ireland) Act 1992”.
- (2) At the end of paragraph (1) of Article 7 of that Order there shall be added the words “or
- (c) of Part VI of the Social Security Administration (Northern Ireland) Act 1992.”.
- (3) In Article 7(2) of that Order for the words “Section 155 of the principal Act” there shall be substituted the words “Article 71B of the Pensions Order” and for the words “that Act” there shall be substituted the words “that Order”.

Social Security (Northern Ireland) Order 1986 (S.I. 1986 No. 1888 (N.I. 18))

- 32 (1) The Social Security (Northern Ireland) Order 1986 shall be amended as follows.
- (2) In Article 6(1) for the words from “sections 16(2B)” to “Article 31” there shall be substituted the words “sections 34(4) and 47(2) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992, paragraph 3(2) of Schedule 7 to that Act and Articles 31 to 31C”.
- (3) In Article 11(5) for the words “Article 18(5) of that Order” there shall be substituted the words “section 41(7) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992”.

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- (4) In Article 18A(1) for the words “Section 134 of the principal Act” there shall be substituted the words “Section 155 of the Social Security Administration (Northern Ireland) Act 1992”.
- (5) In Article 26(1)(c) for the words “Article 25(3)” there shall be substituted the words “section 101(3) of the Social Security Administration (Northern Ireland) Act 1992”.
- (6) At the end of Article 26 there shall be added the following paragraph—
 - “(7) Subsections (6) and (7) of section 74 of the Social Security Administration (Northern Ireland) Act 1992 shall have effect for the purposes of this Article as they have effect for the purposes of that section.”.
- (7) In Article 53(2) for the words “section 93(1) of the principal Act” there shall be substituted the words “section 15(1) of the Social Security Administration (Northern Ireland) Act 1992”.
- (8) In Article 60(3)(c) for the words “Part III of the principal Act including that Part as extended by Article 53(3)” there shall be substituted the words “sections 15 to 60 of the Social Security Administration (Northern Ireland) Act 1992”.
- (9) In Article 81(1) for the words from the beginning to “principal Act” there shall be substituted the words “Article 71B(1) to (4) of the Pensions Order”.
- (10) In Article 81 for paragraphs (3) and (4) there shall be substituted the following paragraphs—
 - “(3) Regulations under Article 7(15)(a), and regulations made by the Department and contained in a statutory rule which includes any such regulations, shall be laid before the Assembly after being made and shall take effect on such date as may be specified in the regulations, but shall (without prejudice to the validity of anything done thereunder or to the making of new regulations) cease to have effect upon the expiration of a period of six months from that date unless at some time before the expiration of that period the regulations have been approved by a resolution of the Assembly.
 - (4) Regulations and orders made by the Department under this Order, other than those to which paragraph (3) applies and orders under Article 1, shall be subject to negative resolution.”.
- (11) In Article 81 for paragraph (8) there shall be substituted the following paragraph—
 - “(8) Sections 171(10) and 172(9) to (11) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 shall apply to regulations under Article 79(6) as they apply to regulations under section 116(3) of that Act.”.

Income and Corporation Taxes Act 1988 (c. 1)

- 33 (1) Section 617 of the Income and Corporation Taxes Act 1988 shall be amended as follows.
- (2) In subsection (1) for the words “Chapters I to III of Part II of the Social Security (Northern Ireland) Act 1975 or Part III of the Social Security Pensions (Northern Ireland) Order 1975” there shall be substituted the words “or Parts II to IV of the Social Security Contributions and Benefits (Northern Ireland) Act 1992”.

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- (3) In subsection (2)—
- (a) in paragraph (a) for the words “the Social Security (Northern Ireland) Order 1986” there shall be substituted the words “ Part VII of the Social Security Contributions and Benefits (Northern Ireland) Act 1992”; and
 - (b) in paragraph (aa) for the words “section 70 of the Social Security (Northern Ireland) Act 1975” there shall be substituted the words “ paragraph 18 of Schedule 7 to the Social Security Contributions and Benefits (Northern Ireland) Act 1992”.
- (4) In subsection (3)(b) for the words “(Northern Ireland) Act 1975” there shall be substituted the words “ Contributions and Benefits (Northern Ireland) Act 1992”.
- (5) In subsection (4) for the words “the Social Security (Northern Ireland) Act 1975” there shall be substituted the words “ Part I of the Social Security Contributions and Benefits (Northern Ireland) Act 1992”.
- (6) In subsection (5) for the words “subsection (2) of section 9 of the Social Security (Northern Ireland) Act 1975” there shall be substituted the words “ subsection (3) of section 15 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992”.

Wages (Northern Ireland) Order 1988 (S.I. 1988 No. 796 (N.I. 7))

- 34 In Article 9(1) of the Wages (Northern Ireland) Order 1988—
- (a) in paragraph (e) after “1982” there shall be inserted the words “ or Part XI of the Social Security Contributions and Benefits (Northern Ireland) Act 1992”;
 - (b) at the end of paragraph (f) there shall be added the words “ or Part XII of the Social Security Contributions and Benefits (Northern Ireland) Act 1992”.

Social Security (Northern Ireland) Order 1988 (S.I. 1988 No. 594 (N.I. 2))

- 35 (1) In Article 13(4)(e) of the Social Security (Northern Ireland) Order 1988 for the words “principal Act” there shall be substituted the words “ Social Security Administration (Northern Ireland) Act 1992”.
- (2) In Article 13(7) of that Order for the words “Section 156(1) of the principal Act” there shall be substituted the words “ Section 166(1) of the Social Security Administration (Northern Ireland) Act 1992”.
- (3) In Article 15 of that Order for the words “Articles 4, 7, 8, 10 and 11” there shall be substituted the words “ Article 10”.
- (4) In Article 15A(1) of that Order for the words “Section 155(1) to (3A) of the principal Act” there shall be substituted the words “ Section 171(2) to (5) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992”.
- (5) In Article 15A(2) of that Order after “1(3)” there shall be inserted “ and 13”.

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Social Security (Northern Ireland) Order 1989 (S.I. 1989 No. 1342 (N.I. 13))

- 36 (1) In Article 8(7) of the Social Security (Northern Ireland) Order 1989 for the words “section 104 of the principal Act” there shall be substituted the words “ section 23 of the Social Security Administration (Northern Ireland) Act 1992”.
- (2) In Article 8(9) of that Order—
- (a) for the words from the beginning to “principal Act” there shall be substituted the words “ Section 26 of the Social Security Administration (Northern Ireland) Act 1992 (appeals from reviews)”; and
- (b) for the words “that section” there shall be substituted the words “ section 23 of that Act”.
- (3) In Article 30(1) of that Order for the words “subsections (1) to (3A) of section 155 of the principal Act” there shall be substituted the words “ section 171(2) to (5) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992”.

Insolvency (Northern Ireland) Order 1989 (S.I. 1989 No. 2405 (N.I. 19))

- 37 In paragraph 6 of Schedule 4 to the Insolvency (Northern Ireland) Order 1989 for the words “the Social Security Act 1975 or the Social Security (Northern Ireland) Act 1975” there shall be substituted the words “ the Social Security Contributions and Benefits Act 1992 or the Social Security Contributions and Benefits (Northern Ireland) Act 1992”.

Capital Allowances Act 1990 (c. 1)

- 38 In the following provisions of the Capital Allowances Act 1990—
- (a) section 22(6)(a);
- (b) section 36(4)(a),
- for the words “Social Security (Northern Ireland) Act 1975” there shall be substituted the words “ Social Security Contributions and Benefits (Northern Ireland) Act 1992”.

Social Security (Northern Ireland) Order 1990 (S.I. 1990 No. 1511 (N.I. 15))

- 39 (1) In Article 20 of the Social Security (Northern Ireland) Order 1990 for the words from “Articles 6” to “and 16” there shall be substituted the words “ paragraph 16”.
- (2) In Article 21(1) of that Order for the words “subsections (1) to (3A) of section 155 of the principal Act” there shall be substituted the words “ section 171(2) to (5) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992”.
- (3) In Schedule 6 to that Order in paragraph 6(12)(b) for the words “section 156(1) of the principal Act” there shall be substituted the words “ section 166(1) of the Social Security Administration (Northern Ireland) Act 1992 or section 172(1) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992”.
- (4) In paragraph 16(3) of that Schedule for the words “section 104 of the principal Act” there shall be substituted the words “ section 23 of the Social Security Administration (Northern Ireland) Act 1992”.

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- (5) In paragraph 16(5) of that Schedule for the words “Subsection (4) of section 104 of the principal Act” there shall be substituted the words “ Section 26 of the Social Security Administration (Northern Ireland) Act 1992”.

Status:

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Changes to legislation:

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