

1984 No. 123

SOCIAL SECURITY

**The Social Security (Claims and Payments) (Amendment) Regulations
(Northern Ireland) 1984**

Made 12th April 1984

Coming into operation 10th May 1984

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by sections 45(3), 79(1), 81(1) and 157(1) of, and Schedule 17 to, the Social Security (Northern Ireland) Act 1975(a) and of all other powers enabling it in that behalf, hereby makes the following regulations which correspond to provision contained in regulations made by the Secretary of State for Social Services in relation to Great Britain and which accordingly, by virtue of section 10(2) of, and paragraph 21 of Schedule 3 to, the Social Security Act 1980(b) are not subject to the requirement of section 10(1) of that Act for prior reference to the Social Security Advisory Committee:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Social Security (Claims and Payments) (Amendment) Regulations (Northern Ireland) 1984 and shall come into operation on 10th May 1984.

(2) In these regulations “the principal regulations” means the Social Security (Claims and Payments) Regulations (Northern Ireland) 1977(c).

Payment of retirement pensions

2.—(1) In regulation 16 of the principal regulations (time and manner of payment of certain pensions and allowances) for paragraph (6) there shall be substituted the following paragraph—

“(6) Weekly sums on account of retirement pension shall be payable on Mondays, so however that—

- (a) where a person became entitled to a retirement pension before 28th September 1984, that pension shall be payable on Thursdays;
- (b) where a woman was entitled to a widow's benefit immediately before becoming entitled to a retirement pension, that pension shall be payable on Tuesdays;
- (c) where a woman becomes entitled to a retirement pension immediately following the payment to her husband of an increase of retirement pension in respect of her, the retirement pension to which she becomes entitled shall be payable on the same days as those upon which the retirement pension of her husband is payable;
- (d) the Department may, notwithstanding anything contained in the foregoing provisions of this paragraph, arrange for retirement pension to be payable on such other day of the week as it may in any particular case determine;

(a) 1975 c. 15; see definitions of “prescribed” and “regulations” in Schedule 17

(b) 1980 c. 30

(c) S.R. 1977 No. 351; the relevant amending regulations are S.R. 1978 No. 90

- (e) where, in relation to any person, any particular day of the week has become the appropriate day of the week for the payment of retirement pension, that day shall thereafter remain the appropriate day in his case for such payment,

and for the purposes of section 45(3) (calculation of increase of pension for wife) a "week" where used in the expression "week for which he is entitled to benefit" where that benefit is Category A or Category C retirement pension, means the period of 7 days beginning with the day which in accordance with the foregoing provisions of this paragraph is the day for the payment of the retirement pension in question."

- (2) In regulation 21 of the principal regulations (time of payment of Category C or D retirement pensions etc. to those in receipt of supplementary benefit) for "Thursdays" there shall be substituted "Mondays or Thursdays".

Claims for increase of disablement benefit

3. In each of the second columns of paragraphs 10 and 11 of Schedule 1 to the principal regulations (prescribed time for claiming increase of disablement benefit) after "the conditions" there shall be inserted "other than the existence of a current award of disablement benefit".

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 12th April 1984.

(L.S.)

C. Davie

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations further amend the Social Security (Claims and Payments) Regulations (Northern Ireland) 1977 ("the principal regulations").

Regulation 2 substitutes a new provision for regulation 16(6) of the principal regulations and provides that for persons who become entitled to a retirement pension on or after 28th September 1984 payment is normally to be made on Mondays. It also makes a consequential amendment to regulation 21 of the principal regulations.

Regulation 3 provides that the prescribed period of 3 months for claiming an increase of disablement benefit runs from the date on which the conditions (but not the condition that a current award of disablement benefit is in existence) for the receipt of the increase are satisfied.