1975 No. 186 (C. 5)

SOCIAL SECURITY

The Social Security (1975 Act) (Commencement No. 1) Order (Northern Ireland) 1975

Made . . . . . *2nd July* 1975

Coming into operation . . . . *20th July* 1975

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by paragraph 1 of Schedule 5 to the Social Security Benefits Act 1975(**a**), as continued by paragraph 27(3) of Schedule 3 to the Social Security (Consequential Provisions) Act 1975(**b**), and of all other powers enabling it in that behalf, hereby makes the following order:

Citation and commencement

1. This order may be cited as the Social Security (1975 Act) (Commencement No. 1) Order (Northern Ireland) 1975 and shall come into operation on 20th July 1975.

Appointed day

2. Except in the case of a woman who under section 36(2) of the Social Security (Northern Ireland) Act 1975(**c**) is not entitled to a non-contributory invalidity pension except where she is incapable of performing normal household duties, the provisions of that Act relating to non-contributory invalidity pension shall come into operation on 20th July 1975, but not so as to confer entitlement to that pension in respect of any period before 20th November 1975.

Transitional provision relating to claims for non-contributory invalidity pension made before 20th November 1975

3.—(1) A claim for a non-contributory invalidity pension made in the period beginning on 20th July 1975 and ending immediately before 20th November 1975 shall be treated as a claim for that pension made for a period beginning on 20th November 1975.

(2) A decision awarding non-contributory invalidity pension on such a claim as is referred to in paragraph (1) of this Article which is given before 20th November 1975—

(*a*) may, if it appears that the conditions for entitlement will not be satisfied on 20th November 1975, award benefit from the date on which it appears that they will be satisfied, being a date not later than 19th December 1975;

(*b*) shall be subject to the condition that the requirements for entitlement to that pension are satisfied when that pension becomes payable under the award; and

(*c*) may be reviewed if those requirements are found not to have been satisfied.

(**a**) 1975 c. 11 Sch. 4 paras. 1, 2 and 5
(**b**) 1975 c. 18
(**c**) 1975 c. 15

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 2nd July 1975.

(L.S.) *C. G. Oakes*
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the order but is intended to indicate its general purport.)

This order brings into operation the provisions of the Social Security (Northern Ireland) Act 1975 relating to non-contributory invalidity pension except for those women who under section 36(2) of that Act are not entitled to that pension unless they are incapable of performing normal household duties.

The order provides for entitlement to the pension to commence from 20th November 1975 but enables claims for it to be made and decided from 20th July 1975.