1988 No. 393

SOCIAL SECURITY

The Social Fund (Cold Weather Payments) (General) (Amendment) Regulations (Northern Ireland) 1988

Made	*3rd November 1988*
Coming into operation . .	*7th November 1988*

The Department of Health and Social Services, in exercise of the powers conferred on it by Article 33(2A) of the Social Security (Northern Ireland) Order 1986(**a**) and of all other powers enabling it in that behalf, hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Social Fund (Cold Weather Payments) (General) (Amendment) Regulations (Northern Ireland) 1988 and shall come into operation on 7th November 1988.

(2) In these regulations "the principal regulations" means the Social Fund (Cold Weather Payments) (General) Regulations (Northern Ireland) 1988(**b**).

Amendment of regulation 1 of the principal regulations

2. In regulation 1(2) of the principal regulations (interpretation), for the definition of "period of cold weather" there shall be substituted the following definition—

" "period of cold weather" means a period of 7 consecutive days during which the average of the mean daily temperature for that period is equal to or below 0 degrees Celsius; and for the purposes of this definition where a day forms part of a period of cold weather it shall not form part of any other such period;".

Amendment of regulation 2 of the principal regulations

3. In regulation 2(1)(*c*)(ii) of the principal regulations (prescribed circumstances) for "2" there shall be substituted "5".

Sealed with the Official Seal of the Department of Health and Social Services on 3rd November 1988.

(L.S.) *P. A. Conliffe*
Assistant Secretary

(**a**) S.I. 1986/1888 (N.I. 18); Article 33(2A) was inserted by paragraph 1 of Schedule 3 to the Social Security (Northern Ireland) Order 1988 (S.I. 1988/594 (N.I. 2)). Article 81(1) provides for section 155(1) to (3A) of the Social Security (Northern Ireland) Act 1975 (c. 15) (extent of powers) to apply to the powers conferred by Article 33(2A); the said section 155(3A) was inserted by Article 63(1)

(**b**) S.R. 1988 No. 368

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations amend in two respects the Social Fund (Cold Weather Payments) (General) Regulations (Northern Ireland) 1988.

The definition of a period of cold weather no longer includes the requirement that the period shall begin on a Monday and end on the following Sunday (regulation 2).

A claimant who otherwise meets the conditions for a payment out of the Social Fund to meet expenses for heating may now receive such a payment if a member of his family is under the age of 5 (regulation 3).

The regulations correspond to provision contained in regulations made by the Secretary of State for Social Security in relation to Great Britain and accordingly, by virtue of section 10(2) of, and paragraph 21 of Schedule 3 to, the Social Security Act 1980 (c. 30), are not subject to the requirement of section 10(1) of that Act for prior reference to the Social Security Advisory Committee.