

2011 No. 431

SOCIAL SECURITY

**The Social Security (Electronic Communications) (No. 2) Order
(Northern Ireland) 2011**

Made - - - - *15th December 2011*

Coming into operation - *23rd January 2012*

The Department for Social Development makes the following Order in exercise of the powers conferred by sections 1 and 2 of the Electronic Communications Act (Northern Ireland) 2001(a).

In accordance with section 1(3) of that Act it considers that the authorisation of the use of electronic communications by this Order for any purpose is such that the extent (if any) to which records of things done for that purpose will be available will be no less satisfactory in cases where use is made of electronic communications than in other cases.

Citation and commencement

1. This Order may be cited as the Social Security (Electronic Communications) (No. 2) Order (Northern Ireland) 2011 and shall come into operation on 23rd January 2012.

Amendment of the Social Security (Claims and Payments) Regulations

2.—(1) The Social Security (Claims and Payments) Regulations (Northern Ireland) 1987(b) are amended in accordance with paragraphs (2) and (3).

(2) In regulation 32ZA(2)(c) (information given electronically)—

(a) after sub-paragraph (d) insert—

“(da) incapacity benefit;” and

(b) after sub-paragraph (f) add—

“(g) retirement pension;

(h) state pension credit.”.

(3) In paragraph 2(1) of Schedule 8D(d) (electronic communication) for “an employment and support allowance and income support” substitute “an employment and support allowance, incapacity benefit, income support and state pension credit”.

(a) 2001 c. 9 (N.I.)

(b) S.R. 1987 No. 465; relevant amending Rules are S.R. 2006 No. 203 and S.R. 2011 No. 298

(c) Regulation 32ZA was inserted by Article 2(3) of S. R. 2011 No. 298

(d) Schedule 8D was inserted by Article 2(4) of S.R. 2006 No. 203 and amended by Article 2(4) of S.R. 2011 No. 298

Amendment of the Social Security (Notification of Change of Circumstances) Regulations

3. In regulation 5(1B) of the Social Security (Notification of Change of Circumstances) Regulations (Northern Ireland) 2001(a) (change affecting other benefit, payment or advantage)—

- (a) after sub-paragraph (d) insert—
“(da) incapacity benefit;”; and
- (b) after sub-paragraph (e) add—
“(f) retirement pension;
(g) state pension credit.”.

Sealed with the Official Seal of the Department for Social Development on 15th December 2011

(L.S.)

Anne McCleary

A senior officer of the Department for Social Development

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Social Security (Claims and Payments) Regulations (Northern Ireland) 1987 (“the Claims and Payments Regulations”) and the Social Security (Notification of Change of Circumstances) Regulations (Northern Ireland) 2001 (“the Notification of Change of Circumstances Regulations”) to facilitate the use of electronic communications and electronic storage in connection with awards of incapacity benefit, retirement pension and state pension credit.

Article 2 amends the Claims and Payments Regulations to provide for the giving of certificates, notices, information and evidence, including notice of a change of circumstances, in relation to those benefits by means of an electronic communication, subject to the provisions of Schedule 8D to those Regulations.

Article 3 makes corresponding amendments to regulation 5 of the Notification of Change of Circumstances Regulations.

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(a) S.R. 2001 No. 420; relevant amending Regulations are S.R. 2003 No. 527 and S.R. 2011 No. 298

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