APPENDIX 4

Orders where there is no local discretion and Ministers are obliged to follow national policy

Child Support (Northern Ireland) Order 1995

The purpose of this Order was to introduce into Northern Ireland those provisions contained in the Child Support Act 1995.

There were no provisions which reflected or provided for different administrative structures or arrangements for the delivery of policy in Northern Ireland. Furthermore, there was no scope for departure from national policy or administrative arrangements given the desire to maintain parity with the rest of the United Kingdom.

Pensions (Northern Ireland) Order 1995

The purpose of this Order was to replicate in Northern Ireland the provisions of the Pensions Act 1995 which amended the law in Great Britain in relation to occupation, state and personal pensions.

In policy terms the Order does not give effect to an approach in Northern Ireland which is separate or distinct from the rest of the UK. Ministers are obliged to follow national policy.

Health and Personal Social Services (Amendment)(Northern Ireland) Order 1995

The purpose of this Order was to replicate in Northern Ireland certain provisions of the National Health Service (Amendment) Act 1995. There was no provision which gave effect to a policy approach in Northern Ireland separate or distinct from the rest of the United Kingdom.

Jobseekers Allowance (Northern Ireland) Order 1995

The purpose of this Order was to replicate in Northern Ireland the provisions of the Jobseekers Act 1995, which introduced the Jobseeker's Allowance and replaced unemployment benefit and income support for unemployed people. It also made provision to promote the employment of the unemployed.

In policy terms the Order does not give effect to an approach in Northern Ireland which is separate or distinct from the rest of the UK. Ministers are obliged to follow national policy.

Polygamous Marriages (Northern Ireland) Order 1995

The purpose of this Order was to reflect parallel GB legislation.

The Order did not give effect to a policy approach in Northern Ireland separate or distinct from the rest of the UK.

Education (Student Loans)(Northern Ireland) Order 1996

The purpose of this order was to replicate in Northern Ireland provisions contained in the Education (Student Loans) Act 1996.

The Order provides for the payment of subsidies to private sector financial institutions which provide loans to students in higher education. There was no provision which gave effect to a policy approach in Northern Ireland separate or distinct from the rest of the United Kingdom.

Personal Social Services (Direct Payments)(Northern Ireland) Order 1996

The purpose of this Order was to replicate the Health and Personal Social Services (Northern Ireland) Order 1972 to enable the DHSS to make payments to persons in respect of their securing the provisions of personal social services. It did not give effect to a policy approach separate or distinct from the rest of the UK.

Health and Personal Social Services (Residual Liabilities)(Northern Ireland) Order 1996

This Order imposes a duty on the DHSS to exercise its statutory powers to transfer property, rights and liabilities of defunct health bodies to either itself or other Health and Social Services bodies. The Order did not give effect to a policy approach separate or distinct from the rest of the UK.

Housing Benefit (Payment to Third Parties) (Northern Ireland) Order 1996

The purpose of this Order was to replicate in Northern Ireland the provisions contained in s.120 of the Housing Act 1996.

Housing benefit policy, like social security policy, is applied uniformly throughout the UK.

Social Security (Recovery of Benefits) (Northern Ireland) Order 1997

The purpose of this Order was to introduce to Northern Ireland the provisions contained within the Social Security (Recovery of Benefits) Act 1997.

There were no provisions which reflected or provided for different administrative structures or arrangements for the delivery of policy in Northern Ireland. Furthermore, there was no scope for departure from national policy or administrative arrangements.

Health Services (Primary Care)(Northern Ireland) Order 1997

The purpose of this Order was to replicate in Northern Ireland certain provisions of the National Health Service (Primary Care) Act 1997. There was no provision which gave effect to a policy approach in Northern Ireland separate or distinct from the rest of the United Kingdom.

Health and Personal Social Services (Private Finance)(Northern Ireland) Order 1997

The purpose of this Order was to replicate in Northern Ireland certain provisions of the National Health Service (Private Finance) Act 1997. There was no provision which gave effect to a policy approach in Northern Ireland separate or distinct from the rest of the United Kingdom.

Social Security Administration (Fraud) (Northern Ireland) Order 1997

The purpose of this Order was to introduce into Northern Ireland the provisions contained within the Social Security Administration (Fraud) Act 1997.

Social security policy is administered on the basis of parity with the rest of the UK.

Succession (Northern Ireland) Order 1996

The purpose of this Order was to reflect certain parts of the Law Reform (Succession) Act 1995 which were appropriate to Northern Ireland.

It did not give effect to a policy approach separate or distinct from the rest of the UK.