

SCHEDULES

SCHEDULE 1

CONSEQUENTIAL AMENDMENTS

Part II

Amendments of the Administration Act and other Enactments

Social Security Administration (Northern Ireland) Act 1992 (c. 8)

45. In section 18(1) of the Administration Act (questions to be submitted to adjudication officer) for paragraph (c) (disqualification) substitute—

“(c) any question whether, if he otherwise had a right to it, a person would be disqualified under or by virtue of any provision of the Contributions and Benefits Act for receiving a benefit to which this section applies.”.

46. In section 23(1)(e) of the Administration Act (review of decisions) for “57(4) or (5)” substitute “25A(4) or (5)”.

47. In section 25(2)(a) of the Administration Act (supplementary provisions as to review: payments not to be affected), for “invalidity pension” substitute “incapacity benefit”.

48. In section 122(1) of the Administration Act (furnishing of information by employers: statutory sick pay and claims for other benefits)—

(a) for paragraph (a) substitute—

“(a) short-term incapacity benefit;” and

(b) for paragraph (c) substitute—

“(c) long-term incapacity benefit;”.

49. In section 124(1) of the Administration Act (furnishing of information by employers: statutory maternity pay and other benefits)—

(a) in paragraph (b) for “sickness benefit” substitute “short-term incapacity benefit”; and

(b) in paragraph (c) for “invalidity pension under section 33” substitute “long-term incapacity benefit under section 30A”.

50. In section 149(5)(a) of the Administration Act (Social Security Advisory Committee) in the definition of “relevant enactments”, for “and this Act” substitute “, this Act and the Social Security (Incapacity for Work) (Northern Ireland) Order 1994”.

51. In section 167(1) of the Administration Act (interpretation), omit the definition of “invalidity benefit”.

52. In Schedule 2 to the Administration Act (supplementary provisions with respect to tribunals, etc.), in paragraph 8(2) (persons to whom remuneration and travelling and other allowances may be paid), after paragraph (a) insert—

- “(aa) a person appointed as medical assessor to a social security appeal tribunal under regulations under section 59A(4) above; and”.

Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965 (c. 19)

53. In paragraph 4(1)(b) of Schedule 2 to the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965 (rights of employee in period of notice: sickness or industrial injury benefit), for “sickness benefit” substitute “short-term incapacity benefit”.

Pension Schemes (Northern Ireland) Act 1993 (c. 49)

54.—(1) Section 42 of the Pension Schemes (Northern Ireland) Act 1993 (effect of entitlement to guaranteed minimum pensions on payment of social security benefits) is amended as follows.

(2) In subsection (1), for “, a widow’s pension or a widower’s invalidity pension” substitute “or a widow’s pension”.

(3) Omit subsection (2).

(4) For subsection (3) substitute—

“(3) Where for any period—

(a) a person is entitled to one or more guaranteed minimum pensions; and

(b) he is also entitled to long-term incapacity benefit under section 30A of the Social Security Contributions and Benefits (Northern Ireland) Act 1992,

for that period an amount equal to the weekly rate or aggregate weekly rates of the guaranteed minimum pension or pensions shall be deducted from any increase payable under regulations under section 30B(7) of that Act and he shall be entitled to such an increase only if there is a balance after the deduction and, if there is such a balance, at a weekly rate equal to it.”.

(5) Omit subsection (6)(b)(i).

(6) In subsection (8), omit paragraph (a) and the word “and” immediately following it.

(7) Omit subsection (9).

55. In section 43(1) of the Pension Schemes (Northern Ireland) Act 1993 (further provisions concerning entitlement to guaranteed minimum pensions for the purposes of section 42), omit the words from “in any case” to “construed”.

56. In section 44(2) of the Pension Schemes (Northern Ireland) Act 1993 (reduced benefits where minimum payments or minimum contributions paid), for “sections 34(4) and” substitute “section”.