

1975 No. 101

## SOCIAL SECURITY

The Social Security (Airmen's Benefits) Regulations  
(Northern Ireland) 1975*Made* . . . . . 4th April 1975*Coming into operation* . . . . . 6th April 1975

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by section 124(1) of the Social Security (Northern Ireland) Act 1975(a), and 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 Security (Airmen's Benefits) Regulations (Northern Ireland) 1975, and shall come into operation on 6th April 1975.

(2) In these regulations, unless the context otherwise requires—

“the Act” means the Social Security (Northern Ireland) Act 1975;

“airman” means a person who is, or has been, employed under a contract of service either as a pilot, commander, navigator or other member of the crew of any aircraft, or in any other capacity on board any aircraft where—

(a) the employment in that other capacity is for the purposes of the aircraft or its crew or of any passengers or cargo or mails carried thereby; and

(b) the contract is entered into in the United Kingdom with a view to its performance (in whole or in part) while the aircraft is in flight;

but does not include a person in so far as his employment is as a serving member of the forces (as defined in regulation 1(2) of the Social Security (Contributions) Regulations 1975(b)), unless he is serving or undergoing training or instruction in any of the forces mentioned in Part I of Schedule 5 to those regulations (except the regular naval, military or air forces of the Crown) for a continuous period not exceeding 72 consecutive hours;

“employed as aircrew” means employed as pilot, commander, navigator or other member of the crew of any aircraft;

and other expressions have the same meanings as in the Act.

(3) Any reference in these regulations to any provision made by or contained in any enactment or instrument shall, except in so far as the context otherwise requires, be construed as a reference to that provision as amended or extended by any enactment or instrument and as including a reference to any provision which it re-enacts or replaces, or which may re-enact or replace it, with or without modification.

(4) The rules for the construction of Acts of Parliament contained in the Interpretation Act 1889(c) shall apply for the purposes of the interpretation of this statutory rule as they apply for the purposes of the interpretation of an Act of Parliament.

*Removal of disqualification in the case of airmen for receiving benefit while absent from Northern Ireland*

2.—(1) Any person who is or has been employed as aircrew, or who is or has been under contract to travel at his employer's expense for the purpose of commencing such employment, shall not, by reason of his being absent from Northern Ireland (but subject to the provisions of any regulations made under section 20(2)(a) (disqualification through misconduct) of the Act) be disqualified on any day for receiving sickness benefit or invalidity benefit if, in respect of such day or days, he has been left outside Northern Ireland or his employment has been terminated or he has not commenced such employment—

- (a) on account of any hurt or injury received, or any illness suffered, by him while so employed or under contract so to travel; or
- (b) in consequence of any action taken, while he is or was so employed or under contract so to travel, for the purpose of preventing infection.

(2) Where by virtue of this regulation a person is not disqualified on any day for receiving sickness benefit or invalidity benefit, although absent from Northern Ireland, he shall be deemed to be incapable of work by reason of some specific disease or bodily or mental disablement on any such day.

*Application of the Act and regulations*

3. The provisions relating to benefit (other than industrial injuries benefit) of the Act and of the regulations made thereunder shall, so far as they are not inconsistent with the provisions of these regulations, apply to an airman with this modification, that where an airman is, on account of his being outside the United Kingdom by reason of his employment as an airman, unable to perform an act required to be done either forthwith or on the happening of a certain event or within a specified time, he shall be deemed to have complied therewith if he performs the act as soon as is reasonably practicable, although after the happening of the event or the expiration of the specified time.

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 4th April 1975.

(L.S.)

C. G. Oakes,  
Assistant Secretary

## EXPLANATORY NOTE

*(This note is not part of the regulations but is intended to indicate their general purport.)*

These regulations modify and amplify the general provisions relating to benefit (other than industrial injuries benefit) of the Social Security (Northern Ireland) Act 1975 and the regulations made thereunder, in their application to persons who are or have been employed under a contract of service on board aircraft. They remove, in certain circumstances, the statutory disqualification for the receipt of benefit for periods of absence from Northern Ireland (regulation 2), and provide for the extension, in certain circumstances, in the case of an airman employed as such outside the United Kingdom, of the time within which certain acts have to be performed for the purpose of the provisions relating to benefit (other than industrial injuries benefit) of the Act and of regulations made thereunder (regulation 3).