

1982 No. 322

SOCIAL SECURITY

**The Social Security (General Benefit) (Amendment) Regulations
(Northern Ireland) 1982**

Made 6th October 1982

Coming into operation 29th October 1982

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by sections 82 and 119(3) of the Social Security (Northern Ireland) Act 1975(a) and of all other powers enabling it in that behalf, hereby makes the following regulations which correspond to provision contained in regulations made by the Secretary of State for Social Services in relation to Great Britain and which accordingly, by virtue of section 10(2) of, and paragraph 21 of Schedule 3 to, the Social Security Act 1980(b) are not subject to the requirement of section 10(1) of that Act for prior reference to the Social Security Advisory Committee:

Citation and commencement

1. These regulations may be cited as the Social Security (General Benefit) (Amendment) Regulations (Northern Ireland) 1982 and shall come into operation on 29th October 1982.

Amendment of the Social Security (General Benefit) (Northern Ireland) Regulations 1975

2.—(1) The Social Security (General Benefit) (Northern Ireland) Regulations 1975(c) shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 11(2) and (4) (guardian's allowance excepted from disqualification for imprisonment, etc.), after "guardian's allowance" in each paragraph there shall be inserted "or a death grant".

(3) In regulation 12(3) (power to pay guardian's allowance, etc. to a person appointed during a period of suspension for imprisonment), after "guardian's allowance" there shall be inserted "a death grant".

(4) In regulation 13(2)(b) (suspension of payment of benefit pending determination of appeal by insurance officer), after "guardian's allowance," there shall be inserted "a death grant,".

(5) In regulation 11(3) (circumstances in which benefit may be paid for a period in custody), after "invalidity benefit," there shall be inserted "a mobility allowance,".

(a) 1975 c. 15

(b) 1980 c. 30

(c) S.R. 1975 No. 26; the relevant amending regulations are S.R. 1975 No. 280

Amendment of the Social Security (Death Grant) Regulations (Northern Ireland) 1975

3. Regulations 4, 5 and 6 of the Social Security (Death Grant) Regulations (Northern Ireland) 1975(a) (suspension of payment of grant pending appeal, exception of grant from disqualification and suspension for imprisonment and payment of grant without due proof of relevant conditions) are hereby revoked.

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 6th October 1982.

(L.S.)

C. Davie

Assistant Secretary

(a) S.R. 1975 No. 105, to which there are amendments not relevant to these regulations

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations amend the Social Security (General Benefit) (Northern Ireland) Regulations 1975 (the "General Benefit Regulations") and the Social Security (Death Grant) Regulations (Northern Ireland) 1975 (the "Death Grant Regulations").

Regulation 2(1) to (4) amends the General Benefit Regulations in order to apply to death grant the provisions of those regulations concerning suspension of payment of grant pending appeal, exception of grant from disqualification and suspension for imprisonment, and payment of grant without due proof of relevant conditions. Regulation 3 revokes corresponding provisions in the Death Grant Regulations.

Regulation 2(5) amends the General Benefit Regulations in order to apply to mobility allowance the provisions of regulation 11(3) governing the circumstances in which benefit may be paid for a period in custody.