

1986 No. 337

SOCIAL SECURITY

The Social Security (Severe Disablement Allowance) (Amendment) Regulations (Northern Ireland) 1986

Made 14th November 1986

Coming into operation 8th December 1986

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by sections 36(7)(d) and 115(1) of, and paragraph 2 of Schedule 13 to, the Social Security (Northern Ireland) Act 1975(a) and of 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 (Severe Disablement Allowance) (Amendment) Regulations (Northern Ireland) 1986 and shall come into operation on 8th December 1986.

(2) In these regulations “the principal regulations” means the Social Security (Severe Disablement Allowance) Regulations (Northern Ireland) 1984(b).

Amendment of the principal regulations

2.—(1) The principal regulations shall be amended in accordance with the following provisions.

(2) In regulation 9(d)(iii) (disqualification from receiving severe disablement allowance for failure to observe rules of behaviour) for the words from “his earnings” to the end there shall be substituted “his weekly earnings, if any, are ordinarily not more than the sum specified in regulation 3(3) of the Social Security (Unemployment, Sickness and Invalidity Benefit) Regulations (Northern Ireland) 1984(c).”.

(3) In regulation 10 (adjudication) after paragraph (2) there shall be inserted the following paragraph—

“(2A) For the purposes of paragraph (1)(g) “invalid carriage or other vehicle” means a vehicle propelled by petrol engine or by electric power supplied for use on the road and to be controlled by the occupant.”.

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 14th November 1986.

(L.S.)

A. N. Burns

Assistant Secretary

(a) 1975 c. 15; section 36 was substituted by Article 5(1) of the Health and Social Security (Northern Ireland) Order 1984 (S.I. 1984/1158 (N.I. 8))

(b) S.R. 1984 No. 317

(c) S.R. 1984 No. 245; the relevant amending regulations are S.R. 1986 No. 212

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations amend the Social Security (Severe Disablement Allowance) Regulations (Northern Ireland) 1984 ("the principal regulations"). They correspond to provision contained in regulations made by the Secretary of State for Social Services in relation to Great Britain and accordingly, by virtue of section 10(2) of, and paragraph 21 of Schedule 3 to, the Social Security Act 1980 (c. 30) are not subject to the requirement of section 10(1) of that Act for prior reference to the Social Security Advisory Committee.

Regulation 2(2) amends regulation 9(d)(iii) of the principal regulations so that a person who is entitled to severe disablement allowance may undertake work under medical supervision as part of his treatment, or work which he has good cause to do, without losing his right to benefit, so long as his weekly earnings are ordinarily not more than a specified sum, currently £25·50 a week.

Regulation 2(3) inserts a new paragraph (2A) into regulation 10 of the principal regulations to define the meaning of "invalid carriage or other vehicle" for the purposes of regulation 10(1)(g) of those regulations.