

## 1990 No. 22

## SOCIAL SECURITY

**The Social Security Benefit (Persons Abroad)  
(Amendment) Regulations (Northern Ireland) 1990**

*Made* . . . . . 18th January 1990

*Coming into operation* . . . . . 8th February 1990

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by sections 82(5) and 126 of 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 Benefit (Persons Abroad) (Amendment) Regulations (Northern Ireland) 1990 and shall come into operation on 8th February 1990.

(2) In these regulations “the principal regulations” means the Social Security Benefit (Persons Abroad) Regulations (Northern Ireland) 1978(b).

*Amendment of regulation 1 of the principal regulations*

2. In regulation 1(2) of the principal regulations (interpretation) after the definition of “retired” there shall be inserted the following definition—

“ “serving member of the forces” has the meaning given to it in regulation 1(2) of the Contributions Regulations;”.

*Amendment of regulation 2 of the principal regulations*

3.—(1) Regulation 2 of the principal regulations (modification of the Act in relation to sickness benefit, invalidity benefit, severe disablement allowance, unemployability supplement and maternity allowance) shall be amended in accordance with paragraphs (2) to (4).

(2) In paragraph (1) for “and (c)” there shall be substituted “, (c) and (d)”.

(3) In sub-paragraph (c) of paragraph (1) for “since the absence began.” there shall be substituted “since the absence began; or”.

(4) After sub-paragraph (c) of paragraph (1) there shall be added the following sub-paragraph—

“(d) in the case of severe disablement allowance, he is absent only by reason of the fact that he is living with a serving member of the

(a) 1975 c. 15

(b) S.R. 1978 No. 114; relevant amending regulations are S.R. 1983 No. 36, S.R. 1984 No. 317 and S.R. 1986 No. 303

forces and is the spouse, son, daughter, father, father-in-law, mother or mother-in-law of that member.”.

#### *Revocations*

4. Regulations 3 and 7 of the principal regulations and regulation 3(3) and (4) of the Social Security (Maternity Grant) Regulations (Northern Ireland) 1981(a) are hereby revoked.

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 18th January 1990.

(L.S.)

A. N. Burns

Assistant Secretary

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(a) S.R. 1981 No. 278, to which there are amendments not relevant to these regulations

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### EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

These regulations which come into operation on 8th February 1990 further amend the Social Security Benefit (Persons Abroad) Regulations (Northern Ireland) 1978 (“the principal regulations”). They correspond to provision contained in regulations made by the Secretary of State for Social Security 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 inserts a definition of “serving member of the forces” in regulation 1(2) of the principal regulations.

Regulation 3 amends regulation 2 of the principal regulations so as to provide that a person shall not be disqualified for receiving severe disablement allowance by reason of being absent from Northern Ireland if that person is living abroad with a serving member of the forces to whom he is related. It also makes minor consequential amendments.

Regulation 4 contains revocations in consequence of the abolition of maternity grant and death grant by virtue of Articles 39 and 42 respectively of the Social Security (Northern Ireland) Order 1986 (S.I. 1986/1888 (N.I. 18)).