
STATUTORY RULES OF NORTHERN IRELAND

1994 No. 485

The Social Security (Incapacity Benefit — Increases for Dependants) Regulations (Northern Ireland) 1994

PART IV

CONSEQUENTIAL AMENDMENTS

Amendment of the Social Security Benefit (Dependency) Regulations

15.—(1) The Social Security Benefit (Dependency) Regulations (Northern Ireland) 1977 shall be amended in accordance with paragraphs (2) to (8).

(2) In regulation 1 (citation, commencement and interpretation) for paragraph (3) there shall be substituted the following paragraphs—

“(3) Regulations 2(2) and (3), 4 and 5(1) shall, with any necessary modifications, apply to invalid care allowance as they apply to retirement pension.

(3A) Nothing in these regulations applies for the purposes of incapacity benefit under section 30A of the Contributions and Benefits Act(1).”.

(3) In regulation 3 (allocation of contributions for spouse or children—

(a) in paragraph (1) the reference “47(1)(a),” shall be omitted; and

(b) in paragraph (5) for “, 45A(2)(b) and 47(1)(a)” there shall be substituted “and 45A(2)(b)”.

(4) In regulation 8(1)(a) (earnings rules for increases for adult dependents) the words “or invalidity pension” shall be omitted.

(5) In regulation 10 (increase of benefit for person having care of child—

(a) in paragraph (1) the words “or sickness” and “or an invalidity pension” shall be omitted; and

(b) in paragraph (3) the words “sickness benefit, or” shall be omitted.

(6) In regulation 11 (contribution to maintenance of adult dependant)—

(a) in paragraph (1)—

(i) the reference “, 47(1)(a)” shall be omitted, and

(ii) the words “, sickness benefit, an invalidity pension” in both places where they occur shall be omitted;

(b) in paragraph (2)—

(i) the words “or sickness benefit” shall be omitted, and

(ii) after “(but no other requirement in that sub-paragraph),” there shall be inserted “or of having been entitled to an increase of short-term incapacity benefit by virtue of

(1) Section 30A is inserted by Article 3(1) of the Social Security (Incapacity for Work) (Northern Ireland) Order 1994 with effect from 13th April 1995

having satisfied the requirements of regulation 9(1)(b) or (3)(b) of the Social Security (Incapacity Benefit — Increases for Dependants) Regulations (Northern Ireland) 1994.”;

(c) in paragraph (2A)—

(i) the words “or sickness benefit” shall be omitted, and

(ii) after “at a weekly rate not less than the standard rate of increase,” there shall be inserted “or of having been entitled to an increase of short-term incapacity benefit by virtue of having satisfied the requirements of regulation 9(1)(b) or (3)(b) of the Social Security (Incapacity Benefit — Increases for Dependants) Regulations (Northern Ireland) 1994.”; and

(d) in paragraph (3) the words “or sickness benefit” shall be omitted.

(7) In regulation 12(1) (prescribed circumstances for purposes of section 49 of the Act—

(a) for “regulations 8 and 11” there shall be substituted “the Social Security (Incapacity Benefit — Increases for Dependants) Regulations (Northern Ireland) 1994”; and

(b) for “invalidity pension” there shall be substituted “long-term incapacity benefit”.

(8) In regulation 13 (increase of unemployment benefit, sickness benefit or invalidity pension for persons over pensionable age) for the words preceding “to which section 47A of the Act applies” there shall be substituted—

“Increase of unemployment benefit for persons over pensionable age

13.—(1) In relation to any increase of unemployment benefit”.