

2002 No. 31

SOCIAL SECURITY

The Social Security (Attendance Allowance and Disability Living Allowance) (Amendment) Regulations (Northern Ireland) 2002

Made 6th February 2002

Coming into operation 1st March 2002

The Department for Social Development, in exercise of the powers conferred by sections 67(2), 72(8) and 171(1), (3) and (4), of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**a**), and now vested in it(**b**), and of all other powers enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Social Security (Attendance Allowance and Disability Living Allowance) (Amendment) Regulations (Northern Ireland) 2002 and shall come into operation on 1st March 2002.

Amendment of the Social Security (Attendance Allowance) Regulations

2. In regulation 7(5) of the Social Security (Attendance Allowance) Regulations (Northern Ireland) 1992(**c**) (persons in certain accommodation other than hospitals)—

- (a) after “this regulation” there shall be inserted “and in regulation 8”;
and
- (b) after sub-paragraph (e) there shall be added—
“; or
- (f) health services provided pursuant to the Order”.

Amendment of the Social Security (Disability Living Allowance) Regulations

3. In regulation 9(8) of the Social Security (Disability Living Allowance) Regulations (Northern Ireland) 1992(**d**) (persons in certain accommodation other than hospitals)—

- (a) after “this regulation” there shall be inserted “and in regulation 10”;
and
- (b) after sub-paragraph (e) there shall be added—
“; or

(a) 1992 c. 7
(b) See Article 8(b) of S.R. 1999 No. 481
(c) S.R. 1992 No. 20, to which there are amendments not relevant to these regulations
(d) S.R. 1992 No. 32, to which there are amendments not relevant to these regulations

(f) health services provided pursuant to the Order”.

Sealed with the Official Seal of the Department for Social Development
on 6th February 2002.

(L.S.)

John O'Neill

Senior Officer of the Department for Social Development

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Social Security (Attendance Allowance) Regulations (Northern Ireland) 1992 (“the Attendance Allowance Regulations”) and the Social Security (Disability Living Allowance) Regulations (Northern Ireland) 1992 (“the Disability Living Allowance Regulations”).

Regulations 2 and 3 respectively provide that the cost of the accommodation for the purposes of regulation 7(5) of the Attendance Allowance Regulations and regulation 9(8) of the Disability Living Allowance Regulations does not include the cost of health services provided pursuant to the Health and Personal Social Services (Northern Ireland) Order 1972.

These Regulations correspond to provision contained in Regulations made by the Secretary of State for Work and Pensions in relation to Great Britain and accordingly, by virtue of section 149(3) of, and paragraph 10 of Schedule 5 to, the Social Security Administration (Northern Ireland) Act 1992 (c. 8), are not subject to the requirement of section 149(2) of that Act for prior reference to the Social Security Advisory Committee.

These Regulations do not impose a charge on business.

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