

*This Statutory Rule has been made in consequence of a defect in [S.R. 2003 No. 191](#) and is being issued free of charge to all known recipients of that Statutory Rule.*

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## STATUTORY RULES OF NORTHERN IRELAND

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### 2003 No. 413

## SOCIAL SECURITY

### The Income Support (General) (Amendment) Regulations (Northern Ireland) 2003

*Made - - - - 16th September 2003  
Coming into operation in accordance with  
regulation 1(1)*

The Department for Social Development, in exercise of the powers conferred on it by sections 122(1) (a), 131(1) and 171(1), (3) and (4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992<sup>(1)</sup>, and now vested in it<sup>(2)</sup>, 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 Income Support (General) (Amendment) Regulations (Northern Ireland) 2003 and shall come into operation on 6th October 2003 immediately after the coming into operation of regulation 24 of the State Pension Credit (Consequential, Transitional and Miscellaneous Provisions) Regulations (Northern Ireland) 2003<sup>(3)</sup>.

(2) The Interpretation Act (Northern Ireland) 1954<sup>(4)</sup> shall apply to these Regulations as it applies to an Act of the Assembly.

#### Amendment of the Income Support (General) Regulations

2. In Schedule 2 to the Income Support (General) Regulations (Northern Ireland) 1987<sup>(5)</sup> (applicable amounts) –

- (a) in paragraph 10(1)(b)(i)<sup>(6)</sup> (higher pensioner premium) for “paragraph 12(1)(a) or (c)” there shall be substituted “paragraph 12(1)(a), (c) or (d)”<sup>(7)</sup>.

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(1) 1992 c. 7

(2) See Article 8(b) of [S.R. 1999 No. 481](#)

(3) [S.R. 2003 No. 191](#)

(4) 1954 c. 33 (N.I.)

(5) [S.R. 1987 No. 459](#); relevant amending Regulations are [S.R. 1988 No. 146](#), [S.R. 1995 No. 67](#) and [S.R. 2003 No. 191](#)

(6) Paragraph 10 was amended by regulation 30(a) of [S.R. 1988 No. 146](#) and regulation 24(5)(c) of [S.R. 2003 No. 191](#)

(7) Paragraph 12(1) was amended by regulation 24(5)(e) of [S.R. 2003 No. 191](#)

- (b) in paragraph 11(8) (disability premium) –
  - (i) in sub-paragraph (b)(i) for “paragraph 12(1)(a), (b) or (c)” there shall be substituted “paragraph 12(1)(a), (b), (c) or (d)”, and
  - (ii) in sub-paragraph (b)(ii) for “paragraph 12(1)(a) or (c)” there shall be substituted “paragraph 12(1)(a), (c) or (d)”.
- (c) in paragraph 12 (additional condition for the higher pensioner and disability premiums) –
  - (i) in sub-paragraph (4) for “sub-paragraph (1)(c)” in each place where it occurs there shall be substituted “sub-paragraph (1)(c) and (d)”, and
  - (ii) in sub-paragraph (6)(9) for “sub-paragraph (1)(a)(i) and (c)(i)” there shall be substituted “sub-paragraph (1)(a)(i) and (c)”.

Sealed with the Official Seal of the Department for Social Development on 16th September 2003.

L.S.

*John O'Neill*  
Senior Officer of the  
Department for Social Development

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(8) Paragraph 11 was amended by regulation 30(b) of [S.R. 1988 No. 146](#) and regulation 24(5)(d) of [S.R. 2003 No. 191](#)  
(9) Sub-paragraph (6) was added by regulation 2(12)(c) of [S.R. 1995 No. 67](#)

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## EXPLANATORY NOTE

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

These Regulations are made in consequence of a defect in the State Pension Credit (Consequential, Transitional and Miscellaneous Provisions) Regulations (Northern Ireland) 2003 (“the 2003 Regulations”). These Regulations will be issued free of charge to all known recipients of the 2003 Regulations.

These Regulations amend paragraphs 10 and 11 of Schedule 2 to the Income Support (General) Regulations (Northern Ireland) 1987 (“the Income Support Regulations”) as a consequence of the amendment of paragraph 12(1)(c) of that Schedule by the 2003 Regulations.

The amendments made by regulation 2 of these Regulations enable a person to continue to be eligible for a higher pensioner premium or, as the case may be, disability premium where payment of his or his partner’s attendance allowance or disability living allowance has been suspended or abated because the person or his partner is in hospital and provided that other conditions are satisfied (regulation 2(a) and (b)).

Consequential amendments are also made to paragraph 12 of Schedule 2 to the Income Support Regulations as a result of the amendment of sub-paragraph (1) of that paragraph by the 2003 Regulations (regulation 2(c)).

These Regulations make in relation to Northern Ireland only provision corresponding 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 any charge on business.