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STATUTORY RULES OF NORTHERN IRELAND

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**2010 No. 69**

**The Social Security (Miscellaneous Amendments  
No. 2) Regulations (Northern Ireland) 2010**

**Amendment of the State Pension Credit Regulations**

6.—(1) The State Pension Credit Regulations (Northern Ireland) 2003(1) are amended in accordance with paragraphs (2) to (7).

(2) In regulation 1(2) (citation, commencement and interpretation)—

(a) after the definition of “equity release scheme”(2) insert—

““foreign state retirement pension” means any pension which is paid under the law of a country outside the United Kingdom and is in the nature of social security;”;

(b) after the definition of “the Macfarlane (Special Payments) (No. 2) Trust” insert—

““MFET Limited” means the company limited by guarantee (number 7121661) of that name, established for the purpose in particular of making payments in accordance with arrangements made with the Secretary of State to persons who have acquired HIV as a result of treatment by the NHS with blood or blood products;”.

(3) In—

(a) regulation 1(2) in the definition of “qualifying person”(3);

(b) Schedule 2 (housing costs), paragraph 14(8)(b)(4); and

(c) Schedule 5 (income from capital), paragraph 15(1)(5) and (7)(6),

after “the Eileen Trust” insert “, MFET Limited”.

(4) The provisions of regulation 11 (retirement provision in assessed income period) become paragraph (1) of that regulation, and after that paragraph (as renumbered) add—

“(2) For the purposes of section 7(6) of the Act, a foreign state retirement pension is to be treated as a benefit under the Contributions and Benefits Act.”.

(5) For regulation 15(2) (income for the purposes of the Act), substitute—

“(2) For the purposes of section 15(1)(f) of the Act, income includes—

(a) all foreign social security benefits which are similar to the social security benefits prescribed under paragraph (1), and

(b) any foreign state retirement pension.”.

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(1) [S.R. 2003 No. 28](#); relevant amending Regulations are [S.R. 2004 Nos. 213 and 394](#), [S.R. 2005 Nos. 536 and 550](#), [S.R. 2008 No. 428](#)

(2) The definition of “equity release scheme” was inserted by regulation 6(2) of [S.R. 2004 No. 394](#)

(3) The definition of “qualifying person” was amended by regulation 2 of [S.R. 2004 No. 213](#) and regulation 6(2)(b) of [S.R. 2005 No. 550](#)

(4) Sub-paragraph (8)(b) was amended by regulation 5(3)(c) of [S.R. 2008 No. 428](#)

(5) Sub-paragraph (1) was amended by regulation 3(1) and (2)(c) of [S.R. 2004 No. 213](#), regulation 6(3)(a)(i) of [S.R. 2005 No. 550](#) and regulation 5(4) of [S.R. 2008 No. 428](#)

(6) Sub-paragraph (7) was amended by regulation 3(4)(c) of [S.R. 2004 No. 213](#) and regulation 6(3)(a)(ii) of [S.R. 2005 No. 550](#)

(6) In regulation 18(2) (notional income) for “aged not less than 60” substitute “who has attained the qualifying age”.

(7) In Schedule 5 (income from capital) in paragraph 15(1) to (5)(7) after “under” insert “or by”.

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**Commencement Information**

- I1** Reg. 6(1)-(3)(6)(7) in operation at 6.4.2010, see [reg. 1\(1\)](#)
- I2** [Reg. 6\(4\)](#) in operation at 13.4.2010, see [reg. 1\(4\)\(c\)](#)
- I3** [Reg. 6\(5\)](#) in operation at 13.4.2010, see [reg. 1\(4\)\(c\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Social Security (Miscellaneous Amendments No. 2) Regulations (Northern Ireland) 2010, Section 6.