**1979 No. 394**

## SOCIAL SECURITY

### The Social Security (Earnings-Related Addition to Widow's Allowance) (Special Provisions) Regulations (Northern Ireland) 1979

*Made* . . . . . *9th November* 1979

*Coming into operation* . . . *6th January* 1980

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by section 125 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 (Earnings-Related Addition to Widow's Allowance) (Special Provisions) Regulations (Northern Ireland) 1979 and shall come into operation on 6th January 1980.

(2) In these regulations "the Act" means the Social Security (Northern Ireland) Act 1975 and other expressions have the same meanings as in the Act.

*Modification of Part I of Schedule 6 to the Act in certain cases*

**2.**—(1) The provisions of Part I of Schedule 6 to the Act (computation of weekly rate) in respect of their application to the weekly rate of earnings-related addition to widow's allowance shall, in a case to which by virtue of paragraph (2) below this regulation applies, be subject to the modifications set out in paragraph (3) below.

(2) This regulation applies in a case where the relevant year for the purposes of the said provisions is a year during which there were earnings paid to or for the benefit of the widow's late husband in respect of which he was not liable to pay primary Class 1 contributions by virtue of Article 6 of the Social Security Pensions (Northern Ireland) Order 1975(**b**) (persons over pensionable age).

(3) In a case to which this regulation applies the said provisions shall have effect so that the late husband's reckonable weekly earnings shall be his earnings for that year in respect of which he was liable to pay primary Class 1 contributions or would have been liable to pay such contributions but for the said Article 6, divided by 50.

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 9th November 1979.

(L.S.)

*W. J. Sloane*
Senior Assistant Secretary

---

(**a**) 1975 c. 15
(**b**) S.I. 1975/1503 (N.I. 15)

## EXPLANATORY NOTE

*(This note is not part of the regulations but is intended to indicate their general purport.)*

These regulations modify Part I of Schedule 6 to the Social Security (Northern Ireland) Act 1975 in cases where the late husband was over pensionable age during the whole or part of the relevant year and would have had liability for Class 1 contributions but for Article 6(1) of the Social Security Pensions (Northern Ireland) Order 1975. The earnings-related addition will be calculated in these cases by reference to the late husband's earnings and not to an earnings factor which is based on Class 1 contributions.