1981 No. 282

SUPPLEMENTARY BENEFITS

The Supplementary Benefit (Requirements and Conditions of Entitlement) (Amendment) Regulations (Northern Ireland) 1981

Made . . . . . *20th August 1981*

Coming into operation . . . *23rd November 1981*

The Department of Health and Social Services, in exercise of the powers conferred on it by Article 7 of, and paragraph 2(3) of Schedule 1 to, the Supplementary Benefits (Northern Ireland) Order 1977(**a**), and of all other powers enabling it in that behalf and with the consent of the Department of Finance, so far as relates to matters with regard to which such consent is required, hereby makes the following regulations which correspond to provision contained in regulations made by the Secretary of State for Social Services in relation to Great Britain and which accordingly, by virtue of section 10(2) of, and paragraph 21 of Schedule 3 to, the Social Security Act 1980(**b**) are not subject to the requirement of section 10(1) of that Act for prior reference to the Social Security Advisory Committee:

Citation and commencement

1. These regulations may be cited as the Supplementary Benefit (Requirements and Conditions of Entitlement) (Amendment) Regulations (Northern Ireland) 1981 and shall come into operation on 23rd November 1981.

Amendment of the Supplementary Benefit (Requirements) Regulations (Northern Ireland) 1980

2.—(1) Regulation 7 of the Supplementary Benefit (Requirements) Regulations (Northern Ireland) 1980(**c**) (long-term rates for normal requirements) shall be amended in accordance with the following provisions of this regulation.

(2) After sub-paragraph (*a*) of paragraph (2) there shall be inserted the following sub-paragraph—

"(*aa*) in the case of a person aged not less than 60 who is not registered for employment in accordance with regulations having effect for the purposes of the Employment and Training Act (Northern Ireland) 1950(**d**), any period during which, while aged not less than 59, he was in receipt of an allowance subject to registration;".

(3) For head (ii) of sub-paragraph (*c*) of paragraph (2) there shall be substituted—

"(ii) to which any of sub-paragraphs (*a*), (*aa*) and (*b*) apply.".

Amendment of the Supplementary Benefit (Conditions of Entitlement) Regulations (Northern Ireland) 1980

3. In regulation 6 of the Supplementary Benefit (Conditions of Entitlement) Regulations (Northern Ireland) 1980(**e**) (persons not subject to condition of registration and availability for employment) after paragraph (*p*) there shall be inserted the following paragraph—

(**a**) S.I. 1977/2156 (N.I. 27): provisions of the Supplementary Benefits (Northern Ireland) Order 1977, as amended by Article 7 of, and Part I of Schedule 2 to, the Social Security (Northern Ireland) Order 1980 (S.I. 1980/870 (N.I. 8)), are set out in Part II of that Schedule

(**b**) 1980 c. 30

(**c**) S.R. 1980 No. 347, to which there are amendments not relevant to these regulations

(**d**) 1950 c. 29 (N.I.)

(**e**) S.R. 1980 No. 416; the relevant amending regulations are S.R. 1981 No. 215

"(*q*) he is a person aged not less than 60 who is not registered for employment in accordance with regulations having effect for the purposes of the Employment and Training Act (Northern Ireland) 1950 and who, if not required to register and to be available for employment under Article 7 of the Order, would satisfy the conditions of regulation 7(1) of the Supplementary Benefit (Requirements) Regulations (Northern Ireland) 1980 (conditions for long-term rates for normal requirements of persons under pensionable age);".

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 20th August 1981.

(L.S.) *T. S. Martin*
Assistant Secretary

The Department of Finance hereby consents to regulation 2 of the foregoing regulations.

Sealed with the Official Seal of the Department of Finance for Northern Ireland on 20th August 1981.

(L.S.) *Desmond Cole*
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations further amend the Supplementary Benefit (Requirements) Regulations (Northern Ireland) 1980 ("the Requirements Regulations") and the Supplementary Benefit (Conditions of Entitlement) Regulations (Northern Ireland) 1980 ("the Conditions of Entitlement Regulations").

Regulation 1 relates to the citation and commencement of the regulations. Regulations 2 and 3 make related amendments to regulation 7 of the Requirements Regulations and regulation 6 of the Conditions of Entitlement Regulations respectively in the case of a person claiming a supplementary allowance who is aged not less than 60 and who chooses not to register for employment.

Regulation 7 of the Requirements Regulations is amended to provide that any period during which, while aged not less than 59, that person was in receipt of a supplementary allowance but subject to the condition of registration and availability for employment under Article 7 of the Supplementary Benefits (Northern Ireland) Order 1977 shall count towards the 52 weeks qualifying period for the long-term rates for normal requirements for persons under pensionable age.

Regulation 6 of the Conditions of Entitlement Regulations is amended to provide that on completion of that period the condition of registration and availability shall not apply.