1989 No. 411

SOCIAL SECURITY

The Social Security (Industrial Injuries and Diseases) (Miscellaneous Provisions) (Amendment) Regulations (Northern Ireland) 1989

Made	*19th October 1989*
Coming into operation . .	*1st November 1989*

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by Article 84(1) and (1A) of the Social Security (Northern Ireland) Order 1986(**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 (Industrial Injuries and Diseases) (Miscellaneous Provisions) (Amendment) Regulations (Northern Ireland) 1989 and shall come into operation on 1st November 1989.

(2) In these regulations "the principal regulations" means the Social Security (Industrial Injuries and Diseases) (Miscellaneous Provisions) Regulations (Northern Ireland) 1986(**b**).

Amendment of the principal regulations

2.—(1) Regulation 7 of the principal regulations (savings in relation to the Social Security (General Benefit) Regulations (Northern Ireland) 1984(**c**)) shall be modified in accordance with sub-paragraphs (*a*) and (*b*)—

(*a*) in paragraph (5), for "section 59A of the Act" there shall be substituted "section 59A of the Act, or in a case to which section 59B of the Act (ending of entitlement to reduced earnings allowance)(**d**) applies to retirement allowance payable under that section; and for the purposes of this paragraph the reference to retirement allowance includes a reference to a retirement allowance which would have been payable but for any failure to satisfy the requirement in subsection (2) of section 59B as to the weekly rate or aggregate weekly rate of reduced earnings allowance payable"; and

(*b*) in paragraph (6)(*b*) after "section 59A" there shall be inserted "or, as the case may be, section 59B".

(**a**) S.I. 1986/1888 (N.I. 18); Article 84(1A) was inserted by paragraph 9(2) of Schedule 8 to the Social Security (Northern Ireland) Order 1989 (S.I. 1989/1342 (N.I. 13))

(**b**) S.R. 1986 No. 340; to which there are amendments not relevant to these regulations

(**c**) S.R. 1984 No. 92; to which there are amendments not relevant to these regulations

(**d**) Section 59B was inserted by Article 4(1) of the Social Security (Northern Ireland) Order 1988 (S.I. 1988/594 (N.I. 2))

(2) Regulation 13 of the principal regulations (delayed claims) shall cease to have effect.

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 19th October 1989.

(L.S.) *A. N. Burns*
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations, which come into operation on 1st November 1989, amend the Social Security (Industrial Injuries and Diseases) (Miscellaneous Provisions) Regulations (Northern Ireland) 1986 (''the principal regulations'').

Regulation 2 amends the principal regulations so as to enable awards of disablement gratuity to be payable as a disablement pension whilst retirement allowance is in payment.

Regulation 2 further provides that regulation 13 of the principal regulations (which relates to claims made on or after 19th November 1986 in relation to accidents which occurred before, or to diseases where the date of onset was before, 19th November 1986) shall cease to have effect.