1990 No. 51

SOCIAL SECURITY

The Social Security (Industrial Injuries) (Regular Employment) Regulations (Northern Ireland) 1990

Made . . . . . *16th February 1990*

Coming into operation . . *1st April 1990*

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by section 59B(7) and (8) 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 (Industrial Injuries) (Regular Employment) Regulations (Northern Ireland) 1990 and shall come into operation on 1st April 1990.

(2) In these regulations "the Act" means the Social Security (Northern Ireland) Act 1975.

Meaning of "regular employment"

2.—(1) Subject to paragraphs (2) and (3) of this regulation, "regular employment", for the purposes of section 59B of the Act, means, in relation to any person and any week, gainful employment (whether or not under a contract of service) which the person undertakes for 10 hours or more in a week which forms part of a period of 5 or more consecutive weeks in which such employment is undertaken.

(2) For the purposes of section 59B of the Act, a person—

(*a*) if he is engaged in regular employment, shall be regarded as not having given up that employment; or

(*b*) if he is not so engaged, shall be regarded as having returned to regular employment,

in any week falling within a period of 5 consecutive weeks during which the total number of hours gainfully employed, when averaged over the whole of that period, amount to 10 or more for each week within that period.

(3) A person shall be regarded for those purposes as not having given up regular employment in any week in which he has one or more days of interruption of employment.

(a) 1975 c. 15; section 59B was inserted by Article 4 of the Social Security (Northern Ireland) Order 1988 (S.I. 1988/594 (N.I. 2)) and subsections (7) and (8) were added by paragraph 8(6) of Schedule 1 to the Social Security (Northern Ireland) Order 1989 (S.I. 1989/1342 (N.I. 13))

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 16th February 1990.

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

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations make provision with respect to the meaning of "regular employment" for the purposes of section 59B of the Social Security (Northern Ireland) Act 1975 (retirement allowance). They also provide that in certain circumstances a person is or is not to be regarded as having given up, or returned to, regular employment.