STATUTORY RULES OF NORTHERN IRELAND

2009 No. 135

SOCIAL SECURITY

The Social Security (Incapacity Benefit) (Amendment) Regulations (Northern Ireland) 2009

Made - - - -	*26th March 2009*
Coming into operation	*27th March 2009*

Approved by resolution of the Assembly on 2nd June 2009

The Department for Social Development makes the following Regulations in exercise of the powers conferred by sections 30DD(5)(c) and 171(3) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**1**) and now vested in it(**2**).

Citation and commencement

1. These Regulations may be cited as the Social Security (Incapacity Benefit) (Amendment) Regulations (Northern Ireland) 2009 and shall come into operation on 27th March 2009.

Amendment of the Social Security (Incapacity Benefit) Regulations

2. After regulation 19 of the Social Security (Incapacity Benefit) Regulations (Northern Ireland) 1994(**3**) (permanent health insurance) insert—

"**Financial assistance scheme**

19A. For the purposes of section 30DD "pension payment" includes a payment made under the Financial Assistance Scheme Regulations 2005(**4**) to a person who first became entitled to such a payment on or after 27th March 2009 (the date on which the Social Security (Incapacity Benefit) (Amendment) Regulations (Northern Ireland) 2009 came into operation).".

(**1**) 1992 c. 7; section 30DD was inserted by Article 60 of the Welfare Reform and Pensions (Northern Ireland) Order 1999 (S.I. 1999/3147 (N.I. 11)) and amended by paragraph 1(2) of the Schedule to S.R. 2006 No. 37 and Article 5(2) of S.I. 2006/745

(**2**) *See* Article 8(b) of S.R. 1999 No. 481

(**3**) S.R. 1994 No. 461; regulation 19 was inserted by regulation 2(5) of S.R. 2000 No. 404

(**4**) S.I. 2005/1986 as amended by S.I. 2005/3256, S.I. 2006/3370, S.I. 2007/3581 and S.I.s 2008/1432, 1903, 3069 and 3241 (C. 147)