STATUTORY RULES OF NORTHERN IRELAND

2003 No. 397

SOCIAL SECURITY

The Social Security (Attendance Allowance and Disability Living Allowance) (Amendment) Regulations (Northern Ireland) 2003

Made - - - - 9th September 2003

Coming into operation 6th October 2003

The Department for Social Development, in exercise of the powers conferred by sections 67(2), 72(8) and 171(1), (3) and (4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**1**), and now vested in it(**2**), and of all other powers enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Social Security (Attendance Allowance and Disability Living Allowance) (Amendment) Regulations (Northern Ireland) 2003 and shall come into operation on 6th October 2003.

Amendment of the Social Security (Attendance Allowance) Regulations

2.—(1) The Social Security (Attendance Allowance) Regulations (Northern Ireland) 1992(**3**) shall be amended in accordance with paragraphs (2) and (3) of this regulation.

(2) In regulation 7 (persons in certain accommodation other than hospitals) –

(a) in paragraph (1)(**4**) –

(i) the words "Except in the cases specified in paragraph (3) and" shall be omitted;

(ii) after sub-paragraph (a) there shall be inserted "or"; and

(iii) sub-paragraph (c) and the word "or" which precedes it shall be omitted; and

(b) paragraphs (3) and (4)(**5**) shall be omitted.

(3) In regulation 8 (exemption from regulations 6 and 7) –

(**1**) 1992 c. 7; section 171(1) was amended by paragraph 5 of Schedule 4 to the Tax Credits Act 2002 (c. 21)
(**2**) *See* Article 8(b) of S.R. 1999 No. 481
(**3**) S.R. 1992 No. 20
(**4**) Paragraph (1) was amended by regulation 5(2) of S.R. 1993 No. 149 and regulation 4(2)(a) of S.R. 2002 No. 132
(**5**) Paragraph (4) was amended by paragraph 2 of Schedule 2 to S.R. 1993 No. 149

(a) paragraph (6)(a)(**6**) and the word "and" which follows it shall be omitted; and

(b) in paragraph (6)(b)(i), for "the person's own resources" there shall be substituted "the resources of the person for whom it is provided".

Amendment of the Social Security (Disability Living Allowance) Regulations

3.—(1) The Social Security (Disability Living Allowance) Regulations (Northern Ireland) 1992(**7**) shall be amended in accordance with paragraphs (2) and (3) of this regulation.

(2) In regulation 9 (persons in certain accommodation other than hospitals) –

(a) in paragraph (1)(**8**) –

(i) for "paragraphs (1A) to (6)" there shall be substituted "paragraphs (1A) to (4)";

(ii) after sub-paragraph (a) there shall be inserted "or"; and

(iii) sub-paragraph (c) and the word "or" which precedes it shall be omitted;

(b) in paragraph (1A)(**9**) the words "and (c)" and ", or may be," shall be omitted; and

(c) paragraphs (6)(**10**) and (7)(**11**) shall be omitted.

(3) In regulation 10 (exemption from regulations 8 and 9) –

(a) paragraph (8)(a)(**12**) and the word "and" which follows it shall be omitted; and

(b) in paragraph (8)(b)(i), for "the person's own resources" there shall be substituted "the resources of the person for whom it is provided".

Revocations

4. The Regulations specified in column (1) of the Schedule are revoked to the extent mentioned in column (3).

Sealed with the Official Seal of the Department for Social Development on 9th September 2003.

John O'Neill
Senior Officer of the
Department for Social Development

(**6**) Paragraph (6) was added by regulation 5(4)(b) of S.R. 1993 No. 149 and amended by regulation 17 of S.R. 1996 No. 289 and regulation 28 of S.R. 2003 No. 191
(**7**) S.R. 1992 No. 32
(**8**) Paragraph (1) was amended by regulation 3(3)(a) of S.R. 1992 No. 481 and regulation 5(2)(a) of S.R. 2002 No. 132
(**9**) Paragraph (1A) was inserted by regulation 3(3)(b) of S.R. 1992 No. 481
(**10**) Paragraph (6) was amended by regulation 6(3) of S.R. 1998 No. 2
(**11**) Paragraph (7) was amended by paragraph 4 of Schedule 2 to S.R. 1993 No. 149
(**12**) Paragraph (8) was added by regulation 4(3)(b) of S.R. 1993 No. 149 and amended by regulation 18 of S.R. 1996 No. 289 and regulation 29 of S.R. 2003 No. 191