STATUTORY RULES OF NORTHERN IRELAND

2003 No. 231

SOCIAL SECURITY

The Social Security (Incapacity Benefit) (Her Majesty's Forces) (Amendment) Regulations (Northern Ireland) 2003

Made - - - -	*11th April 2003*
Coming into operation	*5th May 2003*

The Department for Social Development, in exercise of the powers conferred by sections 30D(3A) and 171(1) and (3) 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 (Incapacity Benefit) (Her Majesty's Forces) (Amendment) Regulations (Northern Ireland) 2003 and shall come into operation on 5th May 2003.

Amendment of the Social Security (Incapacity Benefit) Regulations

2. In the Social Security (Incapacity Benefit) Regulations (Northern Ireland) 1994(**3**) after regulation 6B (effect of statutory adoption pay on incapacity benefit) there shall be inserted the following regulation –

"**Inclusion of days of sickness absence from duty before discharge from Her Majesty's forces in calculating days of entitlement to incapacity benefit**

6C.—(1) For the purpose of section 30D(3A) of the Contributions and Benefits Act (days prescribed in respect of person discharged from Her Majesty's forces after 3rd May 2003) in calculating the number of days for which a person has been entitled to short-term incapacity benefit there shall be included any day which falls within a period –

(**1**) 1992 c. 7; section 30D was inserted by Article 5(1) of the Social Security (Incapacity for Work) (Northern Ireland) Order 1994 (S.I.1994/1898 (N.I. 12)) and subsection (3A) was inserted by regulation 3 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 (Modification for Her Majesty's Forces and Incapacity Benefit) Regulations 2003 (S.I. 2003/735)

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

(**3**) S.R. 1994 No. 461; regulation 6B was inserted by regulation 3 of S.R. 2002 No. 359