STATUTORY RULES OF NORTHERN IRELAND

2000 No. 263

SOCIAL SECURITY

The Social Security (Attendance Allowance and Disability Living Allowance) (Amendment No. 2) Regulations (Northern Ireland) 2000

Made - - - -	*30th August 2000*
Coming into operation	*25th September 2000*

The Department for Social Development, in exercise of the powers conferred by sections 64(4), 72(7) 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 No. 2) Regulations (Northern Ireland) 2000 and shall come into operation on 25th September 2000.

Amendment of the Social Security (Attendance Allowance) Regulations

2. After regulation 8B of the Social Security (Attendance Allowance) Regulations (Northern Ireland) 1992(**3**) (exemption from regulation 8A) there shall be inserted the following regulation—

"**Prescribed circumstance for entitlement**

8BA. For the purposes of section 64(4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 (entitlement), a person shall not be taken to satisfy subsection (2)(a) (day attention) or (3)(a) (night attention) of that section unless the attention the severely disabled person requires from another person is required to be given in the physical presence of the severely disabled person.".

(**1**) 1992 c. 7; section 64(4) was added by Article 63(1) of the Welfare Reform and Pensions (Northern Ireland) Order 1999 (S.I.1999/3147 (N.I. 11))
(**2**) *See* Article 8(*b*) of S.R. 1999 No. 481
(**3**) S.R. 1992 No. 20; regulation 8B was inserted by regulation 2(4) of S.R. 1994 No. 263