STATUTORY RULES OF NORTHERN IRELAND

1999 No. 199

SOCIAL SECURITY

The Social Security (Incapacity, Earnings and Work Trials) (Pilot Schemes) Regulations (Northern Ireland) 1999

Made - - - -	*26th April 1999*
Coming into operation	*14th June 1999*

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by sections 167A, 167B, 167C, 167D, 167E and 171(2) to (4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**1**) and Article 73 of the Social Security (Northern Ireland) Order 1998(**2**) 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 (Incapacity, Earnings and Work Trials) (Pilot Schemes) Regulations (Northern Ireland) 1999 and shall come into operation on 14th June 1999.

(2) These Regulations, except for the purposes of regulation 7 (transitional provision), shall cease to have effect on 7th April 2000, unless revoked with effect from an earlier date.

(3) In these Regulations—

"the General Regulations" means the Social Security (Incapacity for Work) (General) Regulations (Northern Ireland) 1995(**3**);

"pilot scheme area" means the locality specified in column (1) of the Schedule and, in relation to that locality, the postcode districts specified opposite thereto in column (2) of the Schedule;

"pilot scheme period" means any day within the period beginning on and including 14th June 1999 and ending on 7th April 2000;

"prescribed benefit" means any benefit, allowance or advantage under the Contributions and Benefits Act (other than statutory sick pay) mentioned in Article 73(8) of the Social Security (Northern Ireland) Order 1998 and for which entitlement is dependent on incapacity for work.

(**1**) 1992 c. 7; sections 167A to 167C were inserted by Article 7 of the Social Security (Incapacity for Work) (Northern Ireland) Order 1994 (S.I.1994/1898 (N.I. 12)) and sections 167D and 167E were inserted by Article 8(1) of that Order
(**2**) S.I. 1998/1506 (N.I. 10)
(**3**) S.R. 1995 No. 41; relevant amending regulations are S.R. 1995 No. 149 and S.R. 1996 No. 601

(4) The Interpretation Act (Northern Ireland) 1954(**4**) shall apply to these Regulations as it applies to a Measure of the Assembly.

Application

2. These Regulations shall apply to any person who—

(a) subject to regulation 6, is residing in a pilot scheme area during any period within the pilot scheme period; and

(b) is—

(i) on 14th June 1999, receiving a prescribed benefit; or

(ii) on or after 14th June 1999, entitled to, and claims, a prescribed benefit for any day within the pilot scheme period.

Modification of the General Regulations

3. In so far as they apply to a person to whom these Regulations apply, the General Regulations shall be modified to the extent prescribed in the following provisions of these Regulations.

Earnings

4.—(1) Where a person does any work on any day in a week for which he would otherwise be treated as capable of work under regulation 16 of the General Regulations(**5**), he shall, if his earnings in that week do not exceed £15, be treated as incapable of work for that week.

(2) For the purposes of calculating the amount of a person's earnings under this regulation, the provisions of the Social Security Benefit (Computation of Earnings) Regulations (Northern Ireland) 1996(**6**) shall be treated as if they applied to this regulation.

Work trials

5.—(1) A person to whom this regulation applies shall be treated as incapable of work on any day, in whole or in part, on which he does any approved work in a period of incapacity for work consisting of days, or part days, as the case may be, aggregated to not more than 15 days.

(2) This regulation applies to any person—

(a) who has been incapable of work or treated as incapable of work for a period of incapacity for work of more than 196 days;

(b) who is receiving a prescribed benefit; and

(c) who is engaged in approved work on a trial basis.

(3) In this regulation—

"approved work" means, in relation to any person, work arranged in writing by the Department of Economic Development with an employer in respect of that person;

"period of incapacity for work" means—

(a) a period of 4 or more consecutive days each of which is a day on which a person is incapable of work, and any two such periods separated by a period of not more than 8 weeks are to be treated as one period of incapacity for work; or

(**4**) 1954 c. 33 (N.I.)
(**5**) Regulation 16 was amended by regulation 4(4) of S.R. 1995 No. 149 and regulation 4(4) of S.R. 1996 No. 601
(**6**) S.R. 1996 No. 520, amended by regulation 9 of S.R. 1998 No. 2