1995 No. 341

SOCIAL SECURITY

The Social Security (Unemployment, Sickness and Invalidity Benefit) (Amendment) Regulations (Northern Ireland) 1995

Made . . . . . *31st August 1995*

Coming into operation . . *25th September 1995*

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by section 25A(1)(*a*) and (3)(*a*) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**a**) 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 (Unemployment, Sickness and Invalidity Benefit) (Amendment) Regulations (Northern Ireland) 1995 and shall come into operation on 25th September 1995.

(2) In these Regulations "the principal Regulations" means the Social Security (Unemployment, Sickness and Invalidity Benefit) Regulations (Northern Ireland) 1984(**b**).

Amendment of regulation 7 of the principal Regulations

2. In regulation 7 of the principal Regulations (days not to be treated as days of unemployment) after paragraph (5A)(**c**) there shall be inserted the following paragraph—

> "(5B) For the purposes of paragraph (1)(*g*)(i) and (*o*)(ii) earnings shall not include any payment in the form of a retaining fee paid to a person under an agreement under which he is or may be required to engage in any of the tasks specified in regulation 9(*a*) or (*b*).".

Amendment of regulation 9 of the principal Regulations

3. In regulation 9(*b*) of the principal Regulations (persons deemed to be available for employment in employed earner's employment) for "part-time fireman in a fire brigade maintained in pursuance of the Fire Services Act (Northern Ireland) 1969" there shall be substituted "part-time member of a fire brigade maintained in pursuance of the Fire Services (Northern Ireland) Order 1984(**d**)".

(**a**) 1992 c. 7; section 25A was inserted by paragraph 5 of Schedule 1 to the Social Security (Incapacity for Work) (Northern Ireland) Order 1994 (S.I. 1994/1898 (N.I. 12))

(**b**) S.R. 1984 No. 245; relevant amending regulations are S.R. 1989 No. 437, S.R. 1994 No. 65 and S.R. 1995 No. 150

(**c**) Paragraph (5A) was inserted by regulation 2(*c*) of S.R. 1989 No. 437

(**d**) S.I. 1984/1821 (N.I. 11)