1993 No. 340

SOCIAL SECURITY

The Social Security (Disability Living Allowance) (Amendment) Regulations (Northern Ireland) 1993

Made	*30th July 1993*
Coming into operation . .	*26th August 1993*

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by sections 71(6), 72(2), (3) and (7), 73(2)(*b*), (5), (6), (9) and (10), 75 and 76(2) 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 and commencement

1. These regulations may be cited as the Social Security (Disability Living Allowance) (Amendment) Regulations (Northern Ireland) 1993 and shall come into operation on 26th August 1993.

Amendment of the Social Security (Disability Living Allowance) Regulations

2.—(1) The Social Security (Disability Living Allowance) Regulations (Northern Ireland) 1992(**b**) shall be amended in accordance with paragraphs (2) to (11) of this regulation.

(2) In regulation 1(2) (interpretation)—

(*a*) for the definition of "the Act" there shall be substituted the following definition—

" "the Act" means the Social Security Contributions and Benefits (Northern Ireland) Act 1992;";

(*b*) after the definition of "the Act" there shall be inserted the following definition—

" "the Administration Act" means the Social Security Administration (Northern Ireland) Act 1992(**c**);";

(*c*) the definition of "the 1986 Order" shall be omitted; and

(*d*) for the definition of "adjudicating authority" there shall be substituted the following definition—

" "adjudicating authority" means, as the case may be, the Chief Adjudication Officer appointed under section 37(1) of the Administration Act, any other adjudication officer appointed

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(**a**) 1992 c. 7
(**b**) S.R. 1992 No. 32; relevant amending rule is S.R. 1993 No. 150
(**c**) 1992 c. 8

under section 36(1) of the Administration Act, a social security appeal tribunal constituted under section 39 of the Administration Act or a disability appeal tribunal constituted under section 41 of the Administration Act;''; and

(*e*) in the definition of ''terminally ill'' for ''section 35(2C)'' there shall be substituted ''section 66(2)''.

(3) In regulation 2 (conditions as to residence and presence in Northern Ireland)—

(*a*) in paragraph (1) for ''section 37ZA'' there shall be substituted ''section 71''; and

(*b*) in paragraph (2)(*b*) for ''section 132 of the Social Security Act 1975'' there shall be substituted ''section 120 of the Social Security Contributions and Benefits Act 1992(**a**)''.

(4) In regulation 3 (persons aged 65 and over)—

(*a*) in paragraph (1)(*c*) for ''section 37ZB'' there shall be substituted ''section 72'' and for ''section 37ZC'' there shall be substituted ''section 73''; and

(*b*) in paragraph (3) for ''section 37ZB'' there shall be substituted ''section 72'' and for ''section 37ZC'' there shall be substituted ''section 73''.

(5) In regulation 4 (rate of benefit)—

(*a*) in paragraph (1) for ''section 37ZB'' in each place where it occurs there shall be substituted ''section 72''; and

(*b*) in paragraph (2) for ''section 37ZC'' in both places where it occurs there shall be substituted ''section 73''.

(6) In regulation 5 (late claim by a person previously entitled to benefit)—

(*a*) in paragraph (1) for ''section 37ZE'' there shall be substituted ''section 76''; and

(*b*) in paragraph (2)—

(i) in sub-paragraph (*a*)(iii) for ''section 37ZB'' there shall be substituted ''section 72'', and

(ii) in sub-paragraph (*b*)(iii) for ''section 37ZC'' there shall be substituted ''section 73''.

(7) In regulation 6 (qualifying period for the care component after an interval)—

(*a*) in paragraph (1) for ''section 37ZB'' there shall be substituted ''section 72'' and for ''Article 52(1)(*l*) of the 1986 Order'' there shall be substituted ''section 5(1)(*l*) of the Administration Act''; and

(*b*) in paragraph (4) for ''section 37ZB'' there shall be substituted ''section 72''.

(**a**) 1992 c. 4