1992 No. 114

SOCIAL SECURITY

The Social Security (Severe Disablement Allowance) (Amendment) Regulations (Northern Ireland) 1992

Made	*12th March 1992*
Coming into operation . .	*6th April 1992*

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by section 36(4)(*c*) of the Social Security (Northern Ireland) Act 1975(**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 (Severe Disablement Allowance) (Amendment) Regulations (Northern Ireland) 1992 and shall come into operation on 6th April 1992.

(2) In these regulations "the principal regulations" means the Social Security (Severe Disablement Allowance) Regulations (Northern Ireland) 1984(**b**).

Amendment of regulation 3 of the principal regulations

2. In regulation 3 of the principal regulations (conditions relating to residence and presence) for paragraph (1) there shall be substituted the following paragraph—

"(1) Subject to paragraphs (2) and (3), the prescribed conditions for the purposes of section 36(4)(*c*) of the Act as to residence and presence in Northern Ireland in relation to any person on any day shall be that—

(*a*) on that day—

(i) he is ordinarily resident in Northern Ireland,

(ii) he is present in Northern Ireland, and

(iii) he has been present in Northern Ireland for a period of, or for periods amounting in the aggregate to, not less than 26 weeks in the 52 weeks immediately preceding that day; and

(*b*) where that day falls within a period in which that person—

(i) receives tax free emoluments, or

(ii) is the spouse of a person who receives tax free emoluments,

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(**a**) 1975 c. 15; section 36(4) was substituted by Article 5(1) of the Health and Social Security (Northern Ireland) Order 1984 (S.I. 1984/1158 (N.I. 8))

(**b**) S.R. 1984 No. 317; the relevant amending regulations are S.R. 1991 No. 333