1990 No. 123

SOCIAL SECURITY

The Social Security Benefit (Persons Abroad) (Amendment No. 2) Regulations (Northern Ireland) 1990

Made	*21st March 1990*
Coming into operation . .	*6th April 1990*

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by section 126 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 Benefit (Persons Abroad) (Amendment No. 2) Regulations (Northern Ireland) 1990 and shall come into operation on 6th April 1990.

(2) In these regulations "the principal regulations" means the Social Security Benefit (Persons Abroad) Regulations (Northern Ireland) 1978(**b**).

Amendment of the principal regulations

2.—(1) The principal regulations shall be amended in accordance with paragraphs (2) and (3).

(2) In regulation 5(2) (application of disqualification in respect of up-rating of benefit) after "In this regulation" there shall be added "and in regulation 5A".

(3) After regulation 5 there shall be inserted the following regulation—

"Rate of guaranteed minimum pension for the purposes of Article 31 of the Pensions Order

5A.—(1) Where a person is absent from Northern Ireland and disqualified for receiving additional Category A or Category B retirement pension, additional widowed mother's allowance or additional widow's pension then—

(*a*) the rate of guaranteed minimum pension shall for the purposes only of Article 31(1) of the Pensions Order(**c**) be determined in his case as if any order under Article 39A of the Pensions Order(**d**)

(**a**) 1975 c. 15
(**b**) S.R. 1978 No. 114, to which there are amendments not relevant to these regulations
(**c**) S.I. 1975/1503 (N.I. 15); Article 31(1) was amended by Article 19(1) of, and paragraph 5(*a*) of Schedule 9 to, the Social Security (Northern Ireland) Order 1986 (S.I. 1986/1888 (N.I. 18))
(**d**) Article 39A was inserted by Article 11(7) of the Social Security (Northern Ireland) Order 1986. *See* Article 2 of S.R. 1990 No. 52