1989 No. 368

SOCIAL SECURITY

The Social Security (Credits) (Amendment) Regulations (Northern Ireland) 1989

Made . . . . . 13th September 1989

Coming into operation . . 1st October 1989

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by section 13(4) 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 (Credits) (Amendment) Regulations (Northern Ireland) 1989 and shall come into operation on 1st October 1989.

(2) In these regulations "the principal regulations" means the Social Security (Credits) Regulations (Northern Ireland) 1975(**b**).

Amendment of regulation 7 of the principal regulations

2. In regulation 7(2) of the principal regulations (credits for approved training)—

(*a*) for head (ii) of sub-paragraph (*a*) there shall be substituted the following head—

"(ii) a course of training which he attends for not less than 15 hours in the week in question and he is a disabled person within the meaning of the Disabled Persons (Employment) Act (Northern Ireland) 1945(**c**), or";

(*b*) for sub-paragraph (*b*) there shall be substituted the following sub-paragraph—

"(*b*) when the course began it was not intended to continue for more than 12 months or, if he was a disabled person within the meaning of the Disabled Persons (Employment) Act (Northern Ireland) 1945 and the training was provided under that Act or arranged under the Employment and Training Act (Northern Ireland) 1950(**d**), for such longer period as is reasonable in the circumstances of his case; and".

(**a**) 1975 c.15; section 13(4) was amended by the Schedule to the Social Security (No. 2) (Northern Ireland) Order 1980 (S.I. 1980/1087 (N.I. 13)) and paragraph 1(3) of Schedule 8 to the Social Security (Northern Ireland) Order 1986 (S.I. 1986/1888 (N.I. 18))

(**b**) S.R. 1975 No. 113; relevant amending regulations are S.R. 1976 No. 321, S.R. 1977 No. 132, S.R. 1982 No. 42, S.R. 1983 No. 31, S.R. 1987 No. 153 and S.R. 1988 Nos. 105, 276, 298 and 326

(**c**) 1945 c. 6 (N.I.)

(**d**) 1950 c. 29 (N.I.)

Amendment of regulation 8 of the principal regulations

3. For paragraph (1) of regulation 8 of the principal regulations (credits on termination of full-time education, training or apprenticeship) there shall be substituted the following paragraph—

"(1) For the purposes of his entitlement to unemployment benefit or sickness benefit, a person shall be entitled to be credited with earnings equal to the lower earnings limit then in force for either one of the last 2 complete years before the beginning of the relevant benefit year if—

(*a*) during any part of that year he was—

(i) undergoing a course of full-time education,

(ii) undergoing—

(*a*) a course of training which was full-time and which was provided under sections 2 and 3 of the Disabled Persons (Employment) Act (Northern Ireland) 1945(**a**) or arranged under section 1(1) of the Employment and Training Act (Northern Ireland) 1950(**b**),

(*b*) any other full-time course the sole or main purpose of which was the acquisition of occupational or vocational skills, or

(*c*) if he is a disabled person within the meaning of the said 1945 Act, a part-time course attended for at least 15 hours a week which, if it was full-time, would fall within either of sub-heads (*a*) or (*b*) of this head, or

(iii) an apprentice;

(*b*) the other year is, in his case, a reckonable year; and

(*c*) that course or, as the case may be, his apprenticeship has terminated.".

Amendment of regulation 9 of the principal regulations

4. In regulation 9 of the principal regulations (credits for unemployment or incapacity for work)—

(*a*) at the beginning of paragraph (3)(*a*) there shall be inserted "in accordance with section 17(**c**) and regulations made under that section";

(*b*) at the beginning of paragraph (5)(*a*) there shall be inserted "in accordance with section 17 and regulations made under that section";

(*c*) for sub-paragraph (*c*) of paragraph (9) there shall be substituted the following sub-paragraph—

(**a**) Sections 2 and 3 were amended by section 1 of the Disabled Persons (Employment) Act (Northern Ireland) 1960 (c. 4 (N.I.)) and Schedule 18 to the Education and Libraries (Northern Ireland) Order 1986 (S.I. 1986/594 (N.I. 3))

(**b**) Section 1(1) was substituted by Article 3 of the Employment and Training (Amendment) (Northern Ireland) Order 1988 (S.I. 1988/1087 (N.I. 10))

(**c**) Section 17 was amended by Article 3(1) of, and the Schedule to, the Social Security (No. 2) (Northern Ireland) Order 1980, Article 6 of the Social Security (Northern Ireland) Order 1981 (S.I. 1981/1118 (N.I. 25)) and paragraph 1 of Schedule 4 to the Social Security (Northern Ireland) Order 1988 (S.I. 1988/594 (N.I. 2))