1989 No. 193

SOCIAL SECURITY

The Social Security (Miscellaneous Provisions) Regulations (Northern Ireland) 1989

Made	*25th May 1989*
Coming into operation . .	*28th May 1989*

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by sections 13(4), 30(3), 125(1) and 152 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 (Miscellaneous Provisions) Regulations (Northern Ireland) 1989 and shall come into operation on 28th May 1989.

(2) In these regulations "the Married Women and Widows Special Provisions Regulations" means the Social Security (Benefit) (Married Women and Widows Special Provisions) (Northern Ireland) Regulations 1975(**b**).

Amendment of the Married Women and Widows Special Provisions Regulations

2.—(1) The Married Women and Widows Special Provisions Regulations shall be amended in accordance with paragraphs (2) to (4) of this regulation.

(2) Subject to regulation 5 of these regulations, regulation 2 (special credits where a woman's marriage has been terminated) is hereby revoked.

(3) In regulation 3 (modifications, in relation to widows, of provisions with respect to unemployment and sickness benefit, maternity allowance and Category A retirement pension)—

(*a*) in paragraph (5)(*a*) for the words from "those contributions" to the end there shall be substituted "—

(i) earnings paid in a year upon which primary Class 1 contributions have been paid or treated as paid in respect of that year,

(ii) earnings with which she has been credited in respect of that year, or

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(**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. 19; relevant amending regulations are S.R. 1979 No. 98 and S.R. 1980 No. 271

(iii) Class 2 contributions,

is not less than that year's lower earnings limit multiplied by 25; and";

(*b*) subject to regulation 5 of these regulations, paragraph (10) shall be omitted.

(4) Regulations 3B, 5, 8 and 10 are hereby revoked.

Amendment of the Social Security (Widow's Benefit and Retirement Pensions) Regulations (Northern Ireland) 1979

3. In regulation 2(3) of the Social Security (Widow's Benefit and Retirement Pensions) Regulations (Northern Ireland) 1979(**a**) (election to be treated as not having retired) for "on the date it was posted" there shall be substituted "on the date on which it was received in an office of the Department".

Savings

4.—(1) For the purposes of determining whether the contribution condition referred to in regulation 3(5)(*a*) of the Married Women and Widows Special Provisions Regulations is satisfied in any case, that regulation shall continue to have effect in relation to any year beginning before 6th April 1988 as if regulation 2(3) of these regulations had not been made.

(2) In this regulation "year" has the meaning ascribed to it in regulation 1(2) of the Married Women and Widows Special Provisions Regulations.

Transitional provisions for special credits where a woman's marriage has been terminated

5.—(1) Where before 28th May 1989 a woman would have been able to satisfy the second contribution condition for unemployment benefit or sickness benefit only by virtue of regulation 2 or 3(10) of the Married Women and Widows Special Provisions Regulations, those regulations shall continue to apply to her as if regulation 2(2) and (3)(*b*) of these regulations had not been made—

(*a*) where after 27th May 1989 she has a day of unemployment and that day falls within a period of interruption of employment which began before 28th May 1989, until either the day immediately following that period of interruption of employment or 1st October 1989, whichever is the earlier;

(*b*) where after 27th May 1989 she has a day of incapacity for work and that day falls within a period of interruption of employment which began before 28th May 1989, until—

(i) where the period of interruption of employment ends before 2nd October 1989, the day immediately following the last day of that period, or

(ii) where that period of interruption of employment continues after 1st October 1989—

(a) S.R. 1979 No. 243