1987 No. 459

SOCIAL SECURITY

The Income Support (General) Regulations (Northern Ireland) 1987

Made . . . . . 21st December 1987
Coming into operation . . 11th April 1988

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The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by Articles 21(1), (3)(*d*), (4), (9), (11) and (12), 23(1), (4) and (5) to (9), 24(1), (3) and (5) and 52(1)(*m*) of the Social Security (Northern Ireland) Order 1986(**a**) and section 114 of the Social Security (Northern Ireland) Act 1975(**b**) 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 Income Support (General) Regulations (Northern Ireland) 1987 and shall come into operation on 11th April 1988.

Interpretation

2.—(1) In these regulations—

"the Order" means the Social Security (Northern Ireland) Order 1986;

"the 1971 Act" means the Immigration Act 1971(**c**);

"the 1972 Order" means the Health and Personal Social Services (Northern Ireland) Order 1972(**d**);

(**a**) S.I. 1986/1888 (N.I. 18); Article 81(1) provides for section 155(1) to (3A) of the Social Security (Northern Ireland) Act 1975 (c. 15) (extent of powers) to apply to the regulation — making powers conferred by this Order; the said section 155(3A) was inserted by Article 63(1)
(**b**) 1975 c. 15; section 114 is applied by Article 53(3) of the Social Security (Northern Ireland) Order 1986
(**c**) 1971 c. 77
(**d**) S.I. 1972/1265 (N.I. 14)

"attendance allowance" means—

(*a*) an attendance allowance under section 35 of the principal Act(**a**);

(*b*) an increase of disablement pension under section 61 or 63 of that Act(**b**);

(*c*) a payment under regulations made in exercise of the power conferred by section 150(3)(*b*) of that Act;

(*d*) a payment analogous to a payment by way of an increase of an allowance in respect of constant attendance under section 5 of the Industrial Injuries and Diseases (Old Cases) Act 1975(**c**);

(*e*) a payment by virtue of Article 14, 15, 16, 43 or 44 of the Personal Injuries (Civilians) Scheme 1983(**d**) or any analogous payment; or

(*f*) any payment based on need for attendance which is paid as part of a war disablement pension;

"benefit week" has the meaning prescribed in paragraph 4 of Schedule 7 to the Social Security (Claims and Payments) Regulations (Northern Ireland) 1987(**e**);

"child" has the meaning assigned to it by Article 21(11) of the Order;

"child benefit" means child benefit under Part II of the Child Benefit (Northern Ireland) Order 1975(**f**);

"claimant" means a person claiming income support;

"close relative" means a parent, parent-in-law, son, son-in-law, daughter, daughter-in-law, step-parent, step-son, step-daughter, brother, sister, or the spouse of any of the preceding persons or, if that person is one of an unmarried couple, the other member of that couple;

"concessionary payment" means a payment made under arrangements made by the Department with the consent of the Department of Finance and Personnel which is charged either to the Northern Ireland National Insurance Fund or to a Departmental Expenditure Vote to which payments of benefit under the Order, the principal Act or the Child Benefit (Northern Ireland) Order 1975 are charged;

"couple" means a married or an unmarried couple;

"course of study" means any full-time course of study or sandwich course whether or not a grant is made for attending it;

"dwelling occupied as the home" means the dwelling together with any garage, garden, small agricultural holding and outbuildings, normally occupied by the claimant as his home including any premises not so occupied which it is impracticable or unreasonable to sell separately;

"earnings" has the meaning prescribed in regulation 35 or, as the case may be, 37;

(a) Section 35 was amended by Article 3 of the Social Security (Northern Ireland) Order 1979 (S.I. 1979/396 (N.I. 5)) and paragraph 8 of Schedule 1 to the Social Security (Northern Ireland) Order 1980 (S.I. 1980/870 (N.I. 8))

(b) Section 61 was amended by paragraph 6 of Schedule 3 to the Social Security (Northern Ireland) Order 1986

(c) 1975 c. 16

(d) S.I. 1983/686; the relevant amending instrument is S.I. 1984/1675

(e) S.R. 1987 No. 465

(f) S.I. 1975/1504 (N.I. 16)