1987 No. 153

SOCIAL SECURITY

The Social Security (Credits) (Amendment) Regulations (Northern Ireland) 1987

Made	*30th March 1987*
Coming into operation . .	*6th April 1987*

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 Article 84(1) of the Social Security (Northern Ireland) Order 1986(**b**) 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) 1987 and shall come into operation on 6th April 1987.

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

(3) The Interpretation Act 1978(**d**) shall apply to these regulations as it applies to an Act of the United Kingdom Parliament.

Amendment of regulation 2(1) of the principal regulations

2. In regulation 2(1) of the principal regulations (interpretation) for the definition of "relevant earnings factor" there shall be substituted—

" "relevant earnings factor", in relation to any benefit, means—

(*a*) if the contributions relevant to that benefit under section 13 are Class 1 contributions, the earnings factor derived from earnings upon which primary Class 1 contributions have been paid or treated as paid, or credited earnings;

(*b*) if the contributions relevant to that benefit under section 13 are Class 1 and Class 2 contributions, the earnings factor or the aggregate of the earnings factors derived from—

(i) earnings upon which primary Class 1 contributions have been paid or treated as paid, or credited earnings,and

(ii) Class 2 contributions;

(a) 1975 c. 15; section 13(4) was amended by paragraph 1(3) of Schedule 8 to the Social Security (Northern Ireland) Order 1986

(b) S.I. 1986/1888 (N.I. 18)

(c) S.R. 1975 No. 113; relevant amending regulations are S.R. 1976 No. 99, S.R. 1977 No. 132, and S.R. 1983 Nos. 31, 76 and 348

(d) 1978 c. 30

(*c*) if the contributions relevant to that benefit under section 13 are Class 1, Class 2 and Class 3 contributions, the earnings factor or the aggregate of the earnings factors derived from—

(i) earnings upon which primary Class 1 contributions have been paid or treated as paid, or credited earnings,

(ii) Class 2 contributions, and

(iii) Class 3 contributions paid or credited;''.

Amendment of regulation 3 of the principal regulations

3. In regulation 3 of the principal regulations (general provisions relating to the crediting of contributions)—

(*a*) at the end of the shoulder note there shall be added ''*and earnings*'';

(*b*) in paragraph (1) after ''contributions'' wherever it occurs there shall be inserted ''or earnings'';

(*c*) in paragraph (2)(*a*)—

(i) for ''Class 1 credits'' there shall be substituted ''be credited with earnings'', and

(ii) for ''Class 1 contributions'' there shall be substituted ''earnings'';

(*d*) paragraph (2)(*b*) shall be omitted;

(*e*) in paragraph (3)—

(i) for ''a credit'' there shall be substituted ''be credited with earnings or a contribution'', and

(ii) for ''that credit'' there shall be substituted ''be credited with those earnings or that contribution''.

Amendment of regulation 5 of the principal regulations

4. In regulation 5(1) of the principal regulations (starting credits for the purposes of unemployment benefit, sickness benefit and maternity allowance) for ''Class 1 credits for the relevant past year if it'' there shall be substituted ''be credited for any week in the relevant past year with earnings equal to the lower earnings limit then in force, if the relevant past year''.

Amendment of regulation 7 of the principal regulations

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

(*a*) in paragraph (1) for ''a Class 1 credit'' there shall be substituted ''be credited with earnings equal to the lower earnings limit then in force,'';

(*b*) in paragraph (2)(*a*) for the words from ''derived from'' to ''in the aggregate'' there shall be substituted ''derived from Class 2 contributions paid or credited, and either—

(i) Class 1 contributions paid or credited, if that year was before 6th April 1987, or