1985 No. 253

SOCIAL SECURITY

The Workmen's Compensation (Supplementation) (Amendment) Regulations (Northern Ireland) 1985

Made . . . . . *19th September 1985*

Coming into operation . . . *27th November 1985*

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by sections 2 and 4(1) of the Industrial Injuries and Diseases (Northern Ireland Old Cases) Act 1975(**a**) and of all other powers enabling it in that behalf and with the consent of the Department of Finance and Personnel(**b**), hereby makes, in consequence of the Social Security Benefits Up-rating Order (Northern Ireland) 1985(**c**), the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Workmen's Compensation (Supplementation) (Amendment) Regulations (Northern Ireland) 1985 and shall come into operation on 27th November 1985.

(2) These regulations shall be read as one with the Workmen's Compensation (Supplementation) Regulations (Northern Ireland) 1983(**d**), hereinafter referred to as "the principal regulations".

(3) In these regulations, "the operative date" means 27th November 1985.

(4) The Interpretation Act (Northern Ireland) 1954(**e**) shall apply to these regulations as it applies to a Measure of the Northern Ireland Assembly.

Amendment of regulation 5 of the principal regulations

2. In regulation 5(2) of the principal regulations (lesser incapacity allowances) for "28th November 1984" there shall be substituted "27th November 1985".

Substitution of Schedule 1 to the principal regulations

3. For Schedule 1 to the principal regulations (table of rates of lesser incapacity allowance for beneficiaries to whom regulation 5(2) applies and table of loss of earnings and corresponding rate of lesser incapacity allowance) there shall be substituted the Schedule set out in the Schedule to these regulations.

Transitional provision relating to amount of allowance payable

4.—(1) Paragraph (2) shall apply to a beneficiary who was, before the operative date, in receipt of a lesser incapacity allowance but in respect of whom the final calculation of earnings required by regulation 7(2) of the principal regulations had not been made by that date.

(2) In such a case as is referred to in paragraph (1) the beneficiary shall be treated as entitled from the operative date to an allowance at the rate to which he would have been entitled had the final calculation been made before the operative date.

(**a**) 1975 c. 17
(**b**) Formerly the Department of Finance: *see* S.I. 1982/338 (N.I. 6), Article 3
(**c**) S.R. 1985 No. 230
(**d**) S.R. 1983 No. 101; the relevant amending regulations are S.R. 1984 Nos. 145 and 277
(**e**) 1954 c. 33 (N.I.)