1985 No. 206

SOCIAL SECURITY

The Supplementary Benefit (Resources) (Amendment No. 2) Regulations (Northern Ireland) 1985

Made . . . . . 5th August 1985

The Department of Health and Social Services, in exercise of the powers conferred on it by paragraph 1(2) of Schedule 1 to the Supplementary Benefits (Northern Ireland) Order 1977(**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 the following regulations:

Citation and interpretation

1.—(1) These regulations may be cited as the Supplementary Benefit (Resources) (Amendment No. 2) Regulations (Northern Ireland) 1985.

(2) In these regulations "the principal regulations" means the Supplementary Benefit (Resources) Regulations (Northern Ireland) 1984(**c**).

Amendment of the principal regulations

2.—(1) The principal regulations shall be amended in accordance with the following provisions.

(2) In regulation 6(1) (capital resources to be disregarded) after sub-paragraph (*k*) there shall be added the following sub-paragraph—

"(*l*) the value of the right to receive any payment under a life interest or under a fixed term annuity, together with the surrender value of any life policy forming part of such a life interest or fixed term annuity as the case may be.".

(3) In regulation 10(3) (earnings to be disregarded) after sub-paragraph (*f*) there shall be added the following sub-paragraphs—

"(*g*) any income which falls to be treated as earnings under the preceding paragraphs and which is derived from any employment, and which is payable, in any country outside the United Kingdom, for such period during which those earnings may not be remitted to the United Kingdom by virtue of any legislative or administrative prohibition;

(*h*) any earnings whereby a person is treated, by virtue of regulation 9(1)(*b*) of the Supplementary Benefit (Conditions of Entitlement) Regulations (Northern Ireland) 1981(**d**), as engaged in remunerative full-time work and which are attributed, by regulation 9(2) of these regulations, to a period extending beyond that for which he is treated as so engaged.".

(**a**) S.I. 1977/2156 (N.I. 27); provisions of the Supplementary Benefits (Northern Ireland) Order 1977, as amended by Article 7 of, and Part I of Schedule 2 to, the Social Security (Northern Ireland) Order 1980 (S.I. 1980/870 (N.I. 8)), are set out in Part II of that Schedule

(**b**) Formerly the Department of Finance; *see* S.I. 1982/338 (N.I. 6), Article 3. *See also* Article 41(1) of the Supplementary Benefits (Northern Ireland) Order 1977, as amended by the Social Security (Northern Ireland) Order 1980

(**c**) S.R. 1984 No. 54, to which there are amendments not relevant to the subject matter of these regulations

(**d**) S.R. 1981 No. 371; the relevant amending regulations are S.R. 1984 No. 120