1983 No. 36

SOCIAL SECURITY

The Social Security (Abolition of Injury Benefit) (Consequential) Regulations (Northern Ireland) 1983

Made	*4th March 1983*
Coming into operation . . .	*6th April 1983*

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by sections 15(6), 50(4)(*a*), 50A(2), 56(7), 60(4), 66(1), 79(1) and (3), 80, 81(1), 82(1) and (5), 85(1), 89(1), 90(2), 114(1) and (2), 115, 119 and 124(1) of, and Schedule 13 to, the Social Security (Northern Ireland) Act 1975(**a**), Article 18(1) of the Social Security (Miscellaneous Provisions) (Northern Ireland) Order 1977(**b**) and Article 32(5) of the Social Security (Northern Ireland) Order 1982(**c**) and of all other powers enabling it in that behalf, hereby makes the following regulations which correspond to provision contained in regulations made by the Secretary of State for Social Services in relation to Great Britain and which accordingly, by virtue of section 10(2) of, and paragraph 21 of Schedule 3 to, the Social Security Act 1980(**d**) are not subject to the requirement of section 10(1) of that Act for prior reference to the Social Security Advisory Committee:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Social Security (Abolition of Injury Benefit) (Consequential) Regulations (Northern Ireland) 1983 and shall come into operation on 6th April 1983.

(2) In these regulations—

"the Act" means the Social Security (Northern Ireland) Act 1975;

"the Order" means the Social Security (Northern Ireland) Order 1982.

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

Amendment of the Social Security (Industrial Injuries) (Airmen's Benefits) Regulations (Northern Ireland) 1975

2. Paragraph (*a*) of regulation 4 of the Social Security (Industrial Injuries) (Airmen's Benefits) Regulations (Northern Ireland) 1975(**f**) is hereby revoked.

Amendment of the Social Security (Industrial Injuries) (Mariners' Benefits) Regulations (Northern Ireland) 1975

3.—(1) The Social Security (Industrial Injuries) (Mariners' Benefits) Regulations (Northern Ireland) 1975(**g**) shall be amended in accordance with the provisions of this regulation.

(2) Paragraph (*d*) of regulation 3 and paragraph (*a*) of regulation 5 are hereby revoked.

(**a**) 1975 c. 15: section 15(6) was inserted by Article 38 of, and paragraph 6 of Schedule 4 to, the Social Security (Northern Ireland) Order 1982 (S.I. 1982/1084 (N.I. 16)) and section 50A was inserted by Article 32(4) of that Order
(**b**) S.I. 1977/610 (N.I. 11)
(**c**) S.I. 1982/1084 (N.I. 16)
(**d**) 1980 c. 30
(**e**) 1978 c. 30
(**f**) S.R. 1975 No. 99
(**g**) S.R. 1975 No. 106

(3) There shall be omitted from paragraph 4 of the Schedule ", 3(*d*)".

Amendment of the Social Security (Hospital In-Patients) Regulations (Northern Ireland) 1975

4. The Social Security (Hospital In-Patients) Regulations (Northern Ireland) 1975(**a**) shall be amended by the omission of "Injury benefit" from Schedule 2.

Amendment of the Social Security (Mobility Allowance) Regulations (Northern Ireland) 1975

5. The Social Security (Mobility Allowance) Regulations (Northern Ireland) 1975(**b**) shall be amended by the omission of "injury benefit or" from regulation 14(1)(*b*)(ii).

Amendment of the Social Security (Industrial Injuries) (Benefit) Regulations (Northern Ireland) 1976

6.—(1) The Social Security (Industrial Injuries) (Benefit) Regulations (Northern Ireland) 1976(**c**) shall be amended in accordance with the provisions of this regulation.

(2) From the heading to Parts III and IV there shall be omitted "INJURY AND".

(3) Regulations 3 to 5 are hereby revoked.

(4) In regulation 9(1), there shall be substituted for "the injury benefit period", in the first place where it occurs "the period of 90 days referred to in section 57(4)", and in the second place where it occurs "that period of 90 days".

(5) From regulation 39(1) there shall be omitted "(other than injury benefit)".

(6) Regulation 40(1) and (5)(*a*) is hereby revoked.

(7) From regulation 40(2)(*c*), there shall be omitted "injury benefit or" in both places where it occurs.

(8) In regulation 40(7) for "paragraphs (1) to (6)" there shall be substituted "paragraphs (2) to (6)".

Amendment of the Social Security (Child Benefit Consequential) Regulations (Northern Ireland) 1977

7. Regulation 7(3) of the Social Security (Child Benefit Consequential) Regulations (Northern Ireland) 1977(**d**) is hereby revoked.

Amendment of the Social Security Benefit (Dependency) Regulations (Northern Ireland) 1977

8.—(1) The Social Security Benefit (Dependency) Regulations (Northern Ireland) 1977(**e**) shall be amended in accordance with the provisions of this regulation.

(2) From regulation 9(2)(*d*)(ii) there shall be omitted ", injury benefit".

(3) From regulation 10(1) there shall be omitted "of injury benefit or".

(4) From regulation 10(3) there shall be omitted ", injury benefit,".

(5) In regulation 11(2) for ", sickness benefit or injury benefit" there shall be substituted "or sickness benefit" and "or section 66(1)(*a*)" and "or section 66(1)(*d*)" shall be omitted.

(a) S.R. 1975 No. 109; the relevant amending regulations are S.R. 1975 No. 202
(b) S.R. 1975 No. 280, to which there are amendments not relevant to these regulations
(c) S.R. 1976 No. 42; the relevant amending regulations are S.R. 1977 No. 73 and S.R. 1980 No. 384
(d) S.R. 1977 No. 73, to which there are amendments not relevant to these regulations
(e) S.R. 1977 No. 74, to which there are amendments not relevant to these regulations

Amendment of the Social Security Benefit (Persons Residing Together) Regulations (Northern Ireland) 1977

9. For paragraph (2) of regulation 2 of the Social Security Benefit (Persons Residing Together) Regulations (Northern Ireland) 1977(**a**) there shall be substituted the following paragraph—

"(2) In relation to—

(*a*) an increase in respect of an adult dependant under section 44 (increase of unemployment benefit or sickness benefit or of a maternity allowance), 45 (increase of Category A or Category C retirement pension or invalidity pension), 49 (increase of non-contributory invalidity pension or invalid care allowance) or 66 (increase of a disablement pension where the beneficiary is entitled to unemployability supplement); or

(*b*) an adjustment of benefit under section 85(1)(*b*) (hospital in-patients),

two spouses shall not be treated as having ceased to reside together by reason only of the fact that either of them is, or they both are, undergoing medical or other treatment as an in-patient in a hospital or similar institution, whether such absence is temporary or not.".

Amendment of the Social Security (Claims and Payments) Regulations (Northern Ireland) 1977

10.—(1) The Social Security (Claims and Payments) Regulations (Northern Ireland) 1977(**b**) shall be amended in accordance with the provisions of this regulation.

(2) In the heading to regulation 11, for ", *invalidity and injury*" there shall be substituted "*and invalidity*".

(3) In regulation 11(1)(*a*), for ", invalidity or injury" there shall be substituted "or invalidity".

(4) Sub-paragraph (*f*) of regulation 15(1) is hereby revoked.

(5) From regulation 16(1)(*g*) there shall be omitted "not being injury benefit".

(6) From the heading to regulation 26 there shall be omitted "*injury benefit or*".

(7) From regulation 26(1) there shall be omitted "injury benefit or".

(8) Regulation 27 is hereby revoked.

(9) In Schedule 1, there shall be omitted from paragraph 3 ", injury benefit" (where it first occurs) and "or injury" (in both places where it occurs), and from paragraph 4 there shall be omitted "injury benefit,".

(10) In Schedule 2—

(*a*) from the general heading there shall be omitted "**injury benefit,**";

(*b*) in the heading to paragraph 2, for ", INVALIDITY AND INJURY" there shall be substituted "AND INVALIDITY"; and

(*c*) in paragraphs 2(1) and 2A for ", invalidity or injury" there shall be substituted "or invalidity".

(11) In Schedule 3—

(*a*) there shall be omitted ", injury benefit" (in the first 3 places where it occurs);

(*b*) for ", invalidity benefit or injury" there shall be substituted "or invalidity";

(*c*) there shall be omitted "of injury benefit or";

(*d*) the items "An increase of injury benefit" and "Injury benefit" in column (1) and the items set opposite them in column (2) shall be omitted; and

(a) S.R. 1977 No. 166

(b) S.R. 1977 No. 351; the relevant amending regulations are S.R. 1978 No. 90 and S.R. 1982 No. 318