1982 No. 381

SOCIAL SECURITY

The Social Security (Mobility Allowance) (Motability Payment Arrangements) (Amendment) Regulations (Northern Ireland) 1982

Made . . . . . *22nd November 1982*

Coming into operation . . . *17th December 1982*

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by section 81(4)(*d*) of the Social Security (Northern Ireland) Act 1975(**a**) 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(**b**) 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 (Mobility Allowance) (Motability Payment Arrangements) (Amendment) Regulations (Northern Ireland) 1982 and shall come into operation on 17th December 1982.

(2) In these regulations "the principal regulations" means the Social Security (Mobility Allowance) (Motability Payment Arrangements) Regulations (Northern Ireland) 1978(**c**).

Amendment of the principal regulations

2.—(1) For regulation 2 of the principal regulations (payment of mobility allowance on behalf of beneficiary) there shall be substituted—

"*Payment of mobility allowance on behalf of a beneficiary*

2.—(1) Where, under arrangements made or negotiated by Motability, an agreement has been entered into by or on behalf of a beneficiary in respect of whom mobility allowance is payable for the leasing or hire purchase of a vehicle, the Department may arrange that any mobility allowance payable to the beneficiary shall be paid in whole or in part on behalf of the beneficiary in settlement of liability for payments due under that agreement.

(2) Subject to regulations 3 and 4, an arrangement made by the Department under paragraph (1) shall terminate at the end of whichever is the relevant period specified in paragraph (3), in the case of a lease, or paragraph (4), in the case of a hire purchase agreement.

(3) In the case of a lease the relevant period shall be—

(*a*) where the vehicle is returned to the lessor at or before the expiration of the original lease term, the period of the original lease term; or

(*b*) where the vehicle is retained by or on behalf of the beneficiary with the lessor's consent after the expiration of the original lease term, the period of the original lease term; or

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(**a**) 1975 c. 15
(**b**) 1980 c. 30
(**c**) S.R. 1978 No. 222