1980 No. 384

SOCIAL SECURITY

The Social Security (Industrial Injuries) (Benefit) (Amendment) Regulations (Northern Ireland) 1980

Made	*30th October 1980*
Coming into operation . . .	*24th November 1980*

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by sections 56(7), 81(1), (2), (4) and (6), 82(5) and (6) and 119(3) of the Social Security (Northern Ireland) Act 1975(**a**) 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 (Industrial Injuries) (Benefit) (Amendment) Regulations (Northern Ireland) 1980 and shall come into operation on 24th November 1980.

(2) In these regulations "the Benefit Regulations" means the Social Security (Industrial Injuries) (Benefit) Regulations (Northern Ireland) 1976(**b**).

Amendment of the Benefit Regulations

2.—(1) The Benefit Regulations shall be amended in accordance with the provisions of this regulation.

(2) In regulation 3 (injury benefit payable to persons who have not attained the age of 16)—

(*a*) for "person shall be—" in paragraph (2) there shall be substituted "person shall be either";

(*b*) for "substantially full-time employment;" in paragraph (2)(*a*) there shall be substituted "substantially full-time employment, or";

(*c*) for sub-paragraph (*b*) of paragraph (2) there shall be substituted the following sub-paragraph—

"(*b*) one third of the amount specified in paragraph 1(*b*) of Part V of Schedule 4 to the Act, disregarding fractions of 10p, in any other case;".

(3) In regulation 37 (exception from disqualification for imprisonment, etc.) the following paragraphs shall be added—

"(7) Where a person outside Northern Ireland is undergoing imprisonment or detention in legal custody and, in similar circumstances in Northern Ireland, he would have been excepted, by the operation of any of the preceding paragraphs of this regulation, from disqualification under the provisions referred to in regulation 36 for receiving the benefit claimed, he shall not be disqualified for receiving that benefit by reason only of his said imprisonment or detention.

(8) Paragraph (7) applies to increases of benefit rendered not payable under the said provisions as it applies to disqualification for receiving benefit.".

(a) 1975 c. 15; section 56(7) was amended by Article 23 of, and para. 21 of Sch. 4 to, the Child Benefit (Northern Ireland) Order 1975 (S.I. 1975/1504 (N.I. 16))

(b) S.R. 1976 No. 42 (I, p. 194); the relevant amending regulations are S.R. 1977 No. 73 (I, p. 233)