1980 No. 267

SOCIAL SECURITY

The Social Security (Attendance Allowance) (Amendment) Regulations (Northern Ireland) 1980

Made	*5th August 1980*
Coming into operation . . .	*25th August 1980*

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by sections 35, 79(1), 81, 105(2) and 115 of, and paragraph 10 of Schedule 13 to, 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 (Attendance Allowance) (Amendment) Regulations (Northern Ireland) 1980 and shall come into operation on 25th August 1980.

(2) In these regulations—

"the principal regulations" means the Social Security (Attendance Allowance) Regulations (Northern Ireland) 1975(**b**), and

"the Claims and Payments Regulations" means the Social Security (Claims and Payments) Regulations (Northern Ireland) 1977(**c**).

Amendment of regulation 5A of the principal regulations

2. After paragraph (1) of regulation 5A of the principal regulations (qualifying period for entitlement after an interval of non-entitlement) there shall be inserted the following paragraph—

"(1A) This regulation also has effect in a case where a beneficiary applies for review of an award of an allowance at the lower rate if the condition in paragraph (1)(*b*) — substituting in it for the reference to the claim a reference to the application for review — is satisfied in relation to a period immediately preceding the date of such application.".

New regulation to be inserted in Part IIIA of the principal regulations

3. At the end of Part IIIA of the principal regulations(**d**) there shall be inserted the following new regulation—

"*Allowance payable before the date of claim in renewal cases*

5D. If, on a fresh claim for an attendance allowance made within 6 months of the expiry of a certificate issued by the Board under section 35(2) of the Act, being a certificate by virtue of which attendance allowance has been duly paid, the

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(**a**) 1975 c. 15, section 35 was amended by Article 3 of S.I. 1979/396 (N.I. 5) and by para. 8 of Sch. 1 to S.I. 1980/870 (N.I. 8)

(**b**) S.R. 1975 No. 102 (I, p. 620), as amended by S.R. 1977 No. 73 (I, p. 233), S.R. 1977 No. 250 (II, p. 1347), S.R. 1979 No. 102 (I, p. 535) and S.R. 1979 No. 458 (II, p. 2015)

(**c**) S.R. 1977 No. 351 (II, p. 1824), to which there are amendments not affecting the subject of these regulations

(**d**) Part IIIA was inserted by regulation 2 of S.R. 1979 No. 102 (I, p. 535)