1979 No. 377

## SOCIAL SECURITY

### The Social Security (Unemployment, Sickness and Invalidity Benefit) (Amendment No. 2) Regulations (Northern Ireland) 1979

*Made* . . . . . 25*th October* 1979

*Coming into operation* . . . 26*th October* 1979

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by sections 17(1)(*a*) and (2)(*a*) and 20(2) 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 (Unemployment, Sickness and Invalidity Benefit) (Amendment No. 2) Regulations (Northern Ireland) 1979 and shall come into operation on 26th October 1979.

(2) In these regulations "the principal regulations" means the Social Security (Unemployment, Sickness and Invalidity Benefit) Regulations (Northern Ireland) 1979(**b**).

*Amendment of regulation 2 of the principal regulations*

**2.** Subject to regulation 3 below, regulation 2 of the principal regulations (persons deemed to be incapable of work) shall be amended by inserting after paragraph (2)—

"(3) A person who is suffering from some specific disease or bodily or mental disablement but who, by reason only of the fact that he has done some work while so suffering, is found not to be incapable of work by reason thereof may be deemed to be so incapable if that work is—

(i) work which is undertaken under medical supervision as part of his treatment while he is a patient in or of a hospital or similar institution, or

(ii) work which is not so undertaken and which he has good cause for doing,

and from which, in either case, his earnings do not ordinarily exceed £13·00 a week.".

*Transitory provision*

**3.** In respect of the period 26th October 1979 to 11th November 1979 inclusive, paragraph (3) of regulation 2 of the principal regulations, as inserted by regulation 2 above, shall have effect as if the reference to £13·00 a week was a reference to £11·00 a week.

*Consequential amendment*

**4.** In regulation 11(1)(*d*)(iii) of the principal regulations for the reference to regulation 6(1)(*g*) there shall be substituted a reference to regulation 2(3).

(a) 1975 c. 15
(b) S.R. 1979 No. 211