1978 No. 385

SOCIAL SECURITY

The Social Security (Non-Contributory Invalidity Pension) (Amendment No. 2) Regulations (Northern Ireland) 1978

Made . . . . . 15*th December* 1978

Coming into operation . . . . . 5*th January* 1979

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by section 36(7) 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, interpretation and commencement

1. These regulations, which may be cited as the Social Security (Non-Contributory Invalidity Pension) (Amendment No. 2) Regulations (Northern Ireland) 1978, shall be read as one with the Social Security (Non-Contributory Invalidity Pension) Regulations (Northern Ireland) 1975(**b**), as amended(**c**), (hereinafter referred to as "the principal regulations"), and shall come into operation on 5th January 1979.

Amendment of regulation 4 of the principal regulations

2. In regulation 4 of the principal regulations (days for which persons are to be regarded as incapable of work for the purposes of non-contributory invalidity pension), for paragraph (2) there shall be substituted the following paragraph—

"(2) In determining for the purposes of section 36(1) of the Act whether a person has been incapable of work for a period of not less than 196 consecutive days, a day shall not be treated as a day on which that person was incapable of work if on that day he was—

(*a*) absent from Northern Ireland, unless during that period of 196 days there were at least 168 days on which he was present in Northern Ireland; or

(*b*) undergoing imprisonment or detention in legal custody.".

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 15th December 1978.

(L.S.)

W. J. Sloane
Senior Assistant Secretary

(a) 1975 c.15
(b) S.R. 1975 No. 202 (II, p. 1036)
(c) There is no amendment which relates to the subject matter of these regulations