1978 No. 326

SOCIAL SECURITY

The Social Security (Overlapping Benefits) (Amendment No. 2) Regulations (Northern Ireland) 1978

Made . . . . . *25th October* 1978

Coming into operation . . . *16th November* 1978

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by section 85 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 (Overlapping Benefits) (Amendment No. 2) Regulations (Northern Ireland) 1978, shall be read as one with the Social Security (Overlapping Benefits) Regulations (Northern Ireland) 1975(**b**), as amended(**c**) (hereinafter referred to as "the principal regulations") and shall come into operation on 16th November 1978.

Amendment of the principal regulations

2.—(1) Regulation 12(3) of the principal regulations, (priority between persons entitled to increase of benefit), shall be further amended in accordance with the provisions of paragraphs (2) to (6) and shall accordingly have effect as set out in the Schedule hereto.

(2) In the said regulation 12(3), sub-paragraphs (*a*), (*b*) and (*c*) shall be re-lettered respectively (*b*), (*c*) and (*d*).

(3) Before the re-lettered sub-paragraph (*b*) there shall be inserted the following sub-paragraph—

"(*a*) in a case where one of those persons has been awarded child benefit in respect of the child for that period, that one of them shall be entitled to the said increase;".

(4) The re-lettered sub-paragraph (*b*) shall be amended by inserting after the words "in a case" the words "where sub-paragraph (*a*) does not apply but".

(5) The re-lettered sub-paragraph (*c*) shall be amended by deleting after the words "in a case" the words "where sub-paragraph (*a*) above does not apply but", and substituting the words "where neither sub-paragraph (*a*) nor sub-paragraph (*b*) applies but".

(6) The re-lettered sub-paragraph (*d*) shall be amended by deleting the words "neither sub-paragraph (*a*) nor sub-paragraph (*b*) above applies" and substituting the words "none of the preceding sub-paragraphs applies".

(**a**) 1975 c. 15
(**b**) S.R. 1975 No. 94 (I, p. 561)
(**c**) The relevant amending regulations are S.R. 1977 No. 73 (I, p. 233) and S.R. 1978 No. 90