1977 No. 243

SOCIAL SECURITY

The Social Security (Non-Contributory Invalidity Pension) (Amendment) Regulations (Northern Ireland) 1977

Made . . . . . 4*th August* 1977

Coming into operation . . . 30*th August* 1977

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by sections 36(6) and (7), 79(1) and 82(1) 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 (Non-Contributory Invalidity Pension) (Amendment) Regulations (Northern Ireland) 1977 and shall come into operation on 30th August 1977.

(2) In these regulations "the principal regulations" means the Social Security (Non-Contributory Invalidity Pension) Regulations (Northern Ireland) 1975(**b**), as amended(**c**); and the rules for the construction of Acts of Parliament contained in the Interpretation Act 1889(**d**) shall apply in relation to this statutory rule and to the revocation effected by it as if this statutory rule and the regulation revoked by it were Acts of Parliament and as if the revocation were a repeal.

Amendment of the principal regulations

2. Regulation 13 of the principal regulations (transitional provision relating to claims for non-contributory invalidity pension in respect of certain hospital in-patients) is hereby revoked and in the place of that regulation there shall be inserted the following regulations:

"*Application of the Act and regulations to a woman not entitled to non-contributory invalidity pension unless she is incapable both of work and of performing normal household duties*

13.—(1) For the purpose of determining whether a woman in whose case paragraph (*a*) or (*b*) of section 36(2) of the Act applies (woman residing with her husband or whose husband is contributing to her maintenance at a weekly rate not less than that of non-contributory invalidity pension, or living together as husband and wife with a man to whom she is not married) is entitled to non-contributory invalidity pension for any day, but for that purpose only—

(*a*) she shall not under the provisions of the Act or of regulations made under it be treated as being or as having been incapable of work on any day unless on that day she is or was incapable both of work and of performing normal household duties; and

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(**a**) 1975 c. 15
(**b**) S.R. 1975 No. 202 (II, p. 1036)
(**c**) There is no amendment relevant to the subject matter of these regulations.
(**d**) 1889 c. 63