1977 No. 242

SOCIAL SECURITY

The Social Security (Mobility Allowance) (Vehicle Scheme Beneficiaries) Regulations (Northern Ireland) 1977

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

Coming into operation . . . *17th August* 1977

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by section 37A(1) and (4) and section 114(1) and (2) of the Social Security (Northern Ireland) Act 1975(a) and Article 10 of the Social Security (Miscellaneous Provisions) (Northern Ireland) Order 1977(b), 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 (Mobility Allowance) (Vehicle Scheme Beneficiaries) Regulations (Northern Ireland) 1977 and shall come into operation on 17th August 1977.

(2) In these regulations unless the context otherwise requires—

"the Order" means the Social Security (Miscellaneous Provisions) (Northern Ireland) Order 1977;

"the principal Act" means the Social Security (Northern Ireland) Act 1975;

"the principal regulations" means the Social Security (Mobility Allowance) Regulations (Northern Ireland) 1975(c), as amended(d);

"vehicle scheme beneficiary" means any person of the class specified in Article 10(3)(*a*), (*c*) or (*d*) of the Order or any person of the class specified in Article 10(3)(*b*) of the Order whose application was approved on or after 1st January 1976;

"certificate" means a certificate for the purposes of Article 10(1) of the Order;

and other expressions have the same meanings as in the principal Act.

(3) Except in so far as the context otherwise requires any reference in these regulations to—

(*a*) a numbered regulation is a reference to the regulation bearing that number in these regulations and any reference in a regulation to a numbered paragraph is a reference to the paragraph of that regulation bearing that number;

(*b*) any provision made by or contained in any enactment or instrument shall be construed as a reference to that provision as amended or extended by any enactment or instrument and as including a reference to any provision which may re-enact or replace it, with or without modifications.

(a) 1975 c. 15
(b) S.I. 1977/610 (N.I. 11)
(c) S.R. 1975 No. 280 (II, p. 1352)
(d) There is no amendment relevant to the subject matter of these regulations.

(4) The rules for the construction of Acts of Parliament contained in the Interpretation Act 1889(e) shall apply for the purposes of the interpretation of this statutory rule as they apply for the purposes of the interpretation of an Act of Parliament.

Prescribed periods for purposes of Article 10(3)(c) of the Order

2. For the purposes of Article 10(3)(*c*) of the Order—

(*a*) the prescribed period before 1st January 1976 shall be that commencing with 1st January 1970 and ending with 31st December 1975; and

(*b*) the prescribed period after 1st January 1976 shall be that commencing with 2nd January 1976 and ending with 31st March 1978.

Issue of certificates

3.—(1) The Department shall issue a certificate in the form approved by it in respect of any person—

(*a*) who has made an application for a certificate in the form approved by the Department; and

(*b*) whom the Department considers satisfies the conditions specified in paragraph (2).

(2) The conditions referred to in paragraph (1) are—

(*a*) that he is a vehicle scheme beneficiary; and

(*b*) that his physical condition has not improved to such an extent that he no longer satisfies the conditions which it was necessary for him to satisfy in order to become a vehicle scheme beneficiary.

Duration and cancellation of certificates

4.—(1) Subject to paragraphs (2) and (3) the period during which a certificate is in force shall commence on the day specified in the certificate as being the date on which it comes into force and shall continue for the life of the person concerned.

(2) The period specified in paragraph (1) shall not commence—

(*a*) in the case of a vehicle scheme beneficiary who on or after 1st August 1977 is receiving payments in pursuance of Article 30(3) of the Health and Personal Social Services (Northern Ireland) Order 1972(f) in respect of a vehicle belonging to him, before 5th July 1978; or

(*b*) in relation to any other vehicle scheme beneficiary—

(i) before 16th November 1977 if his surname begins with any of the letters from A to K in the alphabet; or

(ii) before 15th February 1978 if his surname begins with any of the letters from L to Z in the alphabet.

(3) If in any case the Department determines that the condition specified in regulation 3(2)(*b*) is not satisfied, the certificate shall cease to be in force from the date of such non-satisfaction as determined by the Department (or such later date as appears to the Department to be reasonable in the circumstances).

Supply of information in connection with certificates

5.—(1) Any person who is an applicant for a certificate or in respect of whom a certificate has been issued—

(e) 1889 c. 63 (f) S.I. 1972/1265 (N.I. 14)