1977 No. 166

SOCIAL SECURITY

The Social Security Benefit (Persons Residing Together) Regulations (Northern Ireland) 1977

Made . . . . . 10*th June* 1977

Coming into operation . . . . 27*th June* 1977

The Department of Health and Social Services, in exercise of the powers conferred on it by Article 18(1) of the Social Security (Miscellaneous Provisions) (Northern Ireland) Order 1977(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 Benefit (Persons Residing Together) Regulations (Northern Ireland) 1977 and shall come into operation on 27th June 1977.

(2) In these regulations "the Act" means the Social Security (Northern Ireland) Act 1975(b) and other expressions have the same meanings as in the Act; and in these regulations any reference to a numbered section is to the section of the Act bearing that number.

Circumstances in which a person is to be treated as residing or not residing with another person or in which persons are to be treated as residing or not residing together

2.—(1) As respects any requirement of the Act, or contained in any provision made for the purposes thereof, any question as to whether—

(*a*) a person is or was residing with another person; or

(*b*) persons are residing together,

shall be determined in accordance with the following provisions of this regulation.

(2) In relation to—

(*a*) an increase in respect of an adult dependant under section 44 (increase of unemployment benefit or sickness benefit or of a maternity allowance), 45 (increase of Category A or Category C retirement pension or invalidity pension), 49 (increase of non-contributory invalidity pension or invalid care allowance) or 66 (increase of injury benefit and of a disablement pension where the beneficiary is entitled to unemployability supplement); or

(*b*) an adjustment of benefit under section 85(1)(*b*) (hospital in-patients),

two spouses shall not be treated as having ceased to reside together by reason only of the fact that either of them is, or they both are, undergoing medical or other treatment as an in-patient in a hospital or similar institution, whether such absence is temporary or not.

(a) S.I. 1977/610 (N.I. 11)
(b) 1975 c. 15