1977 No. 90

SOCIAL SECURITY

The Social Security Benefit (Dependency) (Amendment) Regulations (Northern Ireland) 1977

Made . . . . . 31*st March* 1977

Coming into operation . . . 4*th April* 1977

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by sections 43(2)(*b*) and 65(2)(*b*) of the Social Security (Northern Ireland) Act 1975(**a**), as amended by paragraphs 16(*b*) and 23(*b*) of Schedule 4 to the Child Benefit (Northern Ireland) Order 1975(**b**) and Article 18(3) of the Social Security (Miscellaneous Provisions) (Northern Ireland) Order 1977(**c**), 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 Benefit (Dependency) (Amendment) Regulations (Northern Ireland) 1977, shall be read as one with the Social Security Benefit (Dependency) Regulations (Northern Ireland) 1977(**d**) (hereinafter referred to as "the principal regulations") and shall come into operation on 4th April 1977.

Amendment of regulation 5 of the principal regulations

2. In regulation 5 of the principal regulations (contributions towards cost of providing for child) after paragraph (4) there shall be added the following paragraph:

"(5) Except in a case to which regulation 18 (preservation of entitlement to benefit in payment before 4th April 1977 for a child dependant) or regulation 12A of the Social Security Benefit (Persons Abroad) Regulations (Northern Ireland) 1975(**e**) (modification of the Act in relation to title to benefit for beneficiary's child dependants) applies, paragraph (*b*) of section 43(2) and paragraph (*b*) of section 65(2) (contributions mentioned in those paragraphs to be over and above those required for the purposes of Article 5(1)(*b*) of the Child Benefit Order) shall not apply in a case where neither the beneficiary nor his spouse (if he has a spouse and his spouse is residing with him) is in fact entitled to child benefit in respect of the child in question.".

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 31st March 1977.

(L.S.)

C. G. Oakes
Senior Assistant Secretary

(a) 1975 c. 15
(b) S.I. 1975/1504 (N.I. 16)
(c) S.I. 1977/610 (N.I. 11)
(d) S.R. 1977 No. 74
(e) Regulation 12A of S.R. 1975 No. 103 (I, p. 632) as inserted by regulation 13(5) of S.R. 1977 No. 73