1976 No. 337

HEALTH AND PERSONAL SOCIAL SERVICES

Remission of Charges

Made . . . . . 12*th November* 1976

Coming into operation . . . 15*th November* 1976

The Department of Health and Social Services(**a**) (hereinafter referred to as "the Department") in exercise of the powers conferred on it by Articles 98, 106 and 107 of, and Schedule 15 to, the Health and Personal Social Services (Northern Ireland) Order 1972(**b**) and of all other powers enabling it in that behalf, and with the approval of the Department of Finance(**a**), hereby makes the following regulations:

Citation and commencement

1. These regulations may be cited as the Remission of Charges (Amendment) Regulations (Northern Ireland) 1976, and shall come into operation on 15th November 1976.

Amendment to regulation

2. For regulation 6 of the Health and Personal Social Services (Remission of Charges) Regulations (Northern Ireland) 1974(**c**) as amended(**d**) there shall be substituted the following—

"**6**—(1) For the purpose of regulation 4(*d*) the requirements and resources of a claimant shall be determined by the Department as if they fall to be determined in accordance with the provisions of paragraphs 3, 4(1)(*a*), 7, 8, 8A, 9, 10, 12, 13, 15 to 22, 23(1), 23(1A), 23(1B) and 24 to 29 of Schedule 2 to the Supplementary Benefits &c. Act (Northern Ireland) 1966(**e**) as amended(**f**) and as if—

(*a*) in paragraph 23(1) of the said Schedule (calculation of weekly earnings) for the amount specified in sub-paragraph (*a*) there were substituted the amount specified in sub-paragraph (*b*); and

(*b*) the claimant's requirements were deemed to include—

(i) the sum of £2.50; and

(ii) an amount in respect of mortgage repayments as is reasonable in the circumstances.

(2)(*a*) In determining what, if any, amount to allow under paragraph 4(1)(*a*) of the said Schedule 2, regard shall be had to the provisions made by paragraphs 8A(2) and 8A(3) of that Schedule.

(**a**) Formerly Ministry: *see* 1973 c. 36 s. 40 and Sch. 5 para. 8
(**b**) S.I. 1972/1265 (N.I. 14)
(**c**) S.R. 1974 No. 271 (II, p. 1282)
(**d**) The relevant amending legislation is S.R. 1975 No. 299 and S.R. 1975 No. 371 (II, pp. 1428 and 1806)
(**e**) 1966 c. 28 (N.I.)
(**f**) The amending legislation is S.I. 1976/1781 (N.I. 26)