

## 1987 No. 311

## SOCIAL SECURITY

**The Supplementary Benefit (Requirements and Resources)  
(Amendment No. 2) Regulations (Northern Ireland) 1987**

*Made* . . . . . 24th July 1987

*Coming into operation—*

*regulations 1 and 2* . . . . . 27th July 1987

*regulation 3* . . . . . 1st September 1987

The Department of Health and Social Services, in exercise of the powers conferred on it by paragraphs 1 and 2 of Schedule 1 to, the Supplementary Benefits (Northern Ireland) Order 1977(a) and of all other powers enabling it in that behalf, and with the consent of the Department of Finance and Personnel(b), hereby makes the following regulations:

*Citation and commencement*

1. These regulations may be cited as the Supplementary Benefit (Requirements and Resources) (Amendment No. 2) Regulations (Northern Ireland) 1987 and shall come into operation as follows—

- (a) regulations 1 and 2 on 27th July 1987;
- (b) regulation 3 on 1st September 1987.

*Amendment of Schedule 1A to the Supplementary Benefit (Requirements) Regulations (Northern Ireland) 1983*

2. In paragraph 6(1) of Schedule 1A to the Supplementary Benefit (Requirements) Regulations (Northern Ireland) 1983(c) (maximum amounts for boarders) for the definition of “nursing home” there shall be substituted the following definition—

“ “nursing home” means—

- (a) any premises registered under Part I of the Nursing Homes and Nursing Agencies Act (Northern Ireland) 1971(d); or

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(a) S.I. 1977/2156 (N.I. 27); provisions of the Supplementary Benefits (Northern Ireland) Order 1977, as amended by Article 7 of, and Part I of Schedule 2 to, the Social Security (Northern Ireland) Order 1980 (S.I. 1980/870 (N.I. 8)), are set out in Part II of that Schedule

(b) Formerly the Department of Finance: *see* S.I. 1982/338 (N.I. 6), Article 3. *See* also Article 41(1) of the Supplementary Benefits (Northern Ireland) Order 1977, as amended by the Social Security (Northern Ireland) Order 1980

(c) S.R. 1983 No. 61; the relevant amending regulations are S.R. 1985 No. 336

(d) 1971 c. 32 (N.I.); Part I was amended by Article 109(3) of, and Schedule 18 to, the Health and Personal Social Services (Northern Ireland) Order 1972 (S.I. 1972/1265 (N.I. 14)), Articles 3 and 4 of the Nursing Homes and Nursing Agencies (Northern Ireland) Order 1985 (S.I. 1985/1775 (N.I. 19)) and Part II of Schedule 5 to, the Mental Health (Northern Ireland) Order 1986 (S.I. 1986/595 (N.I. 4))

- (b) premises maintained or controlled by any body of persons constituted by special Act of Parliament or incorporated by Royal Charter;”.

*Amendment of the Supplementary Benefit (Resources) Regulations (Northern Ireland) 1984*

3. In regulation 11(4)(d)(v) of the Supplementary Benefit (Resources) Regulations (Northern Ireland) 1984(a) (calculation of other income) for “£187” there shall be substituted “£210”.

Sealed with the Official Seal of the Department of Health and Social Services on 24th July 1987.

(L.S.)

*C. Davie*

Assistant Secretary

The Department of Finance and Personnel hereby consents to the foregoing Regulations.

Sealed with the Official Seal of the Department of Finance and Personnel on 27th July 1987.

(L.S.)

*R. G. Smartt*

Assistant Secretary

## EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

These regulations further amend the Supplementary Benefit (Requirements) Regulations (Northern Ireland) 1983 (“the Requirements Regulations”) as they relate to claimants resident in nursing homes and the Supplementary Benefit (Resources) Regulations (Northern Ireland) 1984 as they relate to student’s income.

Regulation 2 requires nursing homes not controlled or maintained by any body of persons constituted by special Act of Parliament or incorporated by Royal Charter to be registered under the Nursing Homes and Nursing Agencies Act (Northern Ireland) 1971 in order to qualify as a nursing home for the purposes of the Requirements Regulations.

Regulation 3 amends regulation 11 of the Supplementary Benefit (Resources) Regulations (Northern Ireland) 1984 by increasing the amount of the student grant disregarded in respect of books and equipment from £187 to £210.

The regulations correspond to provision contained in regulations made by the Secretary of State for Social Services in relation to Great Britain and accordingly, by virtue of section 10(2) of, and paragraph 21 of Schedule 3 to, the Social Security Act 1980 (c. 30) are not subject to the requirement of section 10(1) of that Act for prior reference to the Social Security Advisory Committee.