
STATUTORY RULES OF NORTHERN IRELAND

1996 No. 290

SOCIAL SECURITY

**The Social Security (Disability Living Allowance)
(Amendment) Regulations (Northern Ireland) 1996**

Made - - - - *17th July 1996*
Coming into operation *31st July 1996*

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by section 71(1) of the Social Security Administration (Northern Ireland) Act 1992⁽¹⁾ and of all other powers enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Social Security (Disability Living Allowance) (Amendment) Regulations (Northern Ireland) 1996 and shall come into operation on 31st July 1996, immediately following the coming into operation of the Social Security (Disability Living Allowance, Attendance Allowance and Claims and Payments) (Amendment) Regulations (Northern Ireland) 1996⁽²⁾.

Amendment of the Social Security (Disability Living Allowance) Regulations

2.—(1) Regulation 12B of the Social Security (Disability Living Allowance) Regulations (Northern Ireland) 1992⁽³⁾ (exemption from regulation 12A) shall be amended in accordance with paragraphs (2) and (3) of this regulation.

(2) After paragraph (9) there shall be inserted the following paragraph—

“(9A) Regulation 12A shall not apply in the case of a person who is residing in a hospice and is terminally ill where the Department has been informed that he is terminally ill—

- (a) on a claim for disability living allowance;
- (b) on an application for a review of an award of disability living allowance; or
- (c) in writing in connection with an award of, or a claim for, or an application for a review of an award of, disability living allowance.”.

(1) 1992 c. 8; section 71(1) is amended by paragraph 32(2) of Schedule 2 to the Jobseekers (Northern Ireland) Order 1995 (S.I.1995/2705 (N.I. 15))
(2) S.R. 1996 No. 225
(3) S.R. 1992 No. 32; regulations 12A and 12B were inserted by S.R. 1996 No. 225

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(3) In paragraph (12) before the definition of “Motability agreement” there shall be inserted the following definition—

““hospice” has the same meaning as in regulation 10(7)(4);”.

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland
on

L.S.

17th July 1996.

D. G. Ferguson
Assistant Secretary

(4) Paragraph (7) was inserted by [S.R. 1993 No. 149](#) and amended by [S.R. 1993 No. 165](#)

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations further amend the Social Security (Disability Living Allowance) Regulations (Northern Ireland) 1992. They provide for a further exemption from the provisions of regulation 12A of those Regulations (hospitalisation in mobility component cases) (as inserted by regulation 4(3) of the Social Security (Disability Living Allowance, Attendance Allowance and Claims and Payments) (Amendment) Regulations (Northern Ireland) 1996) by providing that certain persons residing in hospices shall continue to receive the mobility component of disability living allowance.

These Regulations make in relation to Northern Ireland only provision corresponding to provision contained in Regulations made by the Secretary of State for Social Security in relation to Great Britain and accordingly, by virtue of section 149(3) of, and paragraph 10 of Schedule 5 to, the Social Security Administration (Northern Ireland) Act 1992 (c. 8), are not subject to the requirement of section 149(2) of that Act for prior reference to the Social Security Advisory Committee.