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STATUTORY RULES OF NORTHERN IRELAND

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**1996 No. 78**

**The Income Support (General) (Amendment)  
Regulations (Northern Ireland) 1996**

**Amendment of Schedule 9 to the Income Support Regulations**

2. In Schedule 9 to the Income Support Regulations (sums to be disregarded in the calculation of income other than earnings) after paragraph 15A(1) there shall be inserted the following paragraph—

“15B.—(1) Subject to sub-paragraphs (2) and (3), where a claimant—

- (a) is a person to whom regulation 19(2) (preserved rights to income support) or paragraph 14(3) or 16(4) of Schedule 7 (applicable amounts in special cases) applies;
- (b) is not residing with his spouse; and
- (c) at least 50 per cent. of any occupational pension of his is being paid to, or in respect of, his spouse for that spouse’s maintenance,

an amount equal to 50 per cent. of the pension or pensions concerned.

(2) Where a claimant is entitled to more than one occupational pension, those pensions shall be aggregated for the purposes of sub-paragraph (1).

(3) This paragraph shall not have effect in respect of that part of any occupational pension to which a spouse is legally entitled whether under a court order or not.”

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(1) Paragraph 15A was inserted by regulation 4(5)(c) of S.R. 1993 No. 165  
(2) Regulation 19 was amended by S.R. 1988 No. 146, S.R. 1989 No. 395, S.R. 1991 No. 170, S.R. 1993 Nos. 149 and 373 and S.R. 1994 Nos. 65, 77 and 327  
(3) Paragraph 14 was amended by S.R. 1988 No. 318, S.R. 1989 No. 139 and S.R. 1993 Nos. 149 and 373  
(4) Paragraph 16 was amended by S.R. 1988 No. 146 and 318, S.R. 1989 No. 139, S.R. 1991 No. 46 and S.R. 1995 No. 71