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STATUTORY RULES OF NORTHERN IRELAND

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**1998 No. 54**

**SOCIAL SECURITY**

**The Social Security (Incapacity for Work) (General)  
(Amendment) Regulations (Northern Ireland) 1998**

*Made* - - - - *26th February 1998*

*Coming into operation* *6th April 1998*

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by sections 167D and 171(2) to (4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(1) and of all other powers enabling it in that behalf, hereby makes the following Regulations:

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Social Security (Incapacity for Work) (General) (Amendment) Regulations (Northern Ireland) 1998 and shall come into operation on 6th April 1998.

(2) The Interpretation Act (Northern Ireland) 1954(2) shall apply to these Regulations as it applies to a Measure of the Assembly.

**Amendment of the Social Security (Incapacity for Work) (General) Regulations**

2. In regulation 17(2)(a) of the Social Security (Incapacity for Work) (General) Regulations (Northern Ireland) 1995(3) (exempt work) for “£46·50” there shall be substituted “£48·00”.

**Revocation**

3. The Social Security (Incapacity for Work) (General) (Amendment) Regulations (Northern Ireland) 1997(4) are hereby revoked.

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(1) 1992 c. 7; section 167D was inserted by Article 8(1) of the Social Security (Incapacity for Work) (Northern Ireland) Order 1994 (S.I.1994/1898 (N.I. 12))  
(2) 1954 c. 33 (N.I.)  
(3) S.R. 1995 No. 41; relevant amending regulations are S.R. 1997 No. 112  
(4) S.R. 1997 No. 112

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**Status:** This is the original version (as it was originally made).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

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

L.S.

26th February 1998.

*John O'Neill*  
Assistant Secretary

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## EXPLANATORY NOTE

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

Regulation 16 of the Social Security (Incapacity for Work) (General) Regulations (Northern Ireland) 1995 provides that a person is to be treated as capable of work on each day of any week during which he does work which is not exempt. Regulation 17 of those Regulations prescribes the categories of work which are exempt for the purposes of regulation 16. In particular, regulation 17(2)(a) prescribes a weekly earnings limit which must not be exceeded if work is to be treated as exempt. These Regulations increase that limit from £46·50 to £48·00 (regulation 2) and make a consequential revocation (regulation 3).

These Regulations correspond 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.