
EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Social Security (Attendance Allowance) Regulations (Northern Ireland) 1992 (“the Attendance Allowance Regulations”) and the Social Security (Disability Living Allowance) Regulations (Northern Ireland) 1992 (“the Disability Living Allowance Regulations”).

Regulation 6 of the Attendance Allowance Regulations and regulations 8 and 12A of the Disability Living Allowance Regulations are amended to provide that a period during which a person is, or is treated as, receiving free in-patient treatment, or is treated as being maintained free of charge while undergoing medical treatment as an in-patient, ends on the day before the day on which he leaves a hospital or similar institution (regulations 2(3) and 3(2)).

Regulation 7A of the Attendance Allowance Regulations and regulation 9A of the Disability Living Allowance Regulations are amended to remove the reference to paragraphs (7) and (9) respectively in consequence of their omission by regulations 2(5) and 3(4) (regulations 2(4) and 3(3)).

Regulation 8 of the Attendance Allowance Regulations and regulation 10 of the Disability Living Allowance Regulations are amended to remove the provision which prevents payment of attendance allowance or disability living allowance to certain persons in accommodation provided under Article 15 of the Health and Personal Social Services (Northern Ireland) Order 1972 ([S.I. 1972/1265 \(N.I. 14\)](#)) which is managed by a Health and Social Services Board or a Health and Social Services trust (regulations 2(5) and 3(4)).

The Regulations also make a consequential amendment and consequential revocations (regulations 2(2) and 4).

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, are not subject to the requirement of section 149(2) of that Act for prior reference to the Social Security Advisory Committee.