

2001 No. 115

SOCIAL SECURITY

**The Social Security (Hospital In-Patients) (Amendment)
Regulations (Northern Ireland) 2001**

Made 15th March 2001

Coming into operation 9th April 2001

The Department for Social Development, in exercise of the powers conferred by sections 71(1)(b) and 165(1) and (4) of the Social Security Administration (Northern Ireland) Act 1992(a), and now vested in it(b), 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 (Hospital In-Patients) (Amendment) Regulations (Northern Ireland) 2001 and shall come into operation on 9th April 2001.

Amendment of the Social Security (Hospital In-Patients) Regulations

2.—(1) The Social Security (Hospital In-Patients) Regulations (Northern Ireland) 1975(c) shall be amended in accordance with paragraphs (2) and (3) of this regulation.

(2) In regulation 2(1) (interpretation) after the definition of “20% of the basic pension”(d) there shall be inserted the following definition—

“ “39% of the basic pension” means an amount equal to 39 per cent. of the basic pension rounded to the nearest 5 pence, 2½ pence being rounded to the next 5 pence above;”.

(3) In regulation 5(b)(e) (adjustment of personal benefit after 6 weeks in hospital) for “40%” there shall be substituted “39%”.

(a) 1992 c. 8; section 71(1) was amended by paragraph 32(2) of Schedule 2 to the Jobseekers (Northern Ireland) Order 1995 (S.I. 1995/2705 (N.I. 15)) and section 165(1) was amended by paragraph 49(2) of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999 (S.I. 1999/671)

(b) See Article 8(b) of S.R. 1999 No. 481

(c) S.R. 1975 No. 109; relevant amending regulations are S.R. 1987 No. 391

(d) The words “basic pension” were substituted by regulation 2(2)(a)(i) of S.R. 1987 No. 391

(e) Regulation 5 was substituted by regulation 2(5) of S.R. 1987 No. 391

Sealed with the Official Seal of the Department for Social Development
on 15th March 2001.

(L.S.)

John O'Neill

Senior Officer of the Department for Social Development

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Social Security (Hospital In-Patients) Regulations (Northern Ireland) 1975 to provide for a decrease, from 40 per cent. to 39 per cent. of the basic retirement pension, in the percentage by which the personal rate of certain benefits is reduced in certain circumstances in respect of persons who receive continuous free in-patient treatment in a hospital or similar institution for more than 6 weeks but not more than 52 weeks.

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

These Regulations do not impose a charge on business.

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