

2001 No. 117

SOCIAL SECURITY

**The Social Security (Invalid Care Allowance) (Amendment)
Regulations (Northern Ireland) 2001**

Made 16th March 2001

Coming into operation 6th April 2001

The Department for Social Development, in exercise of the powers conferred by section 70(8) of the Social Security Contributions and Benefits (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 (Invalid Care Allowance) (Amendment) Regulations (Northern Ireland) 2001 and shall come into operation on 6th April 2001.

Amendment of the Social Security (Invalid Care Allowance) Regulations

2. In regulation 8(1) of the Social Security (Invalid Care Allowance) Regulations (Northern Ireland) 1976(c) (circumstances in which a person is or is not to be treated as gainfully employed)—

- (a) for “£50” in the first place where it occurs there shall be substituted “an amount equal to the lower earnings limit in force by virtue of regulations under section 5 of that Act on the last day of that week”; and
- (b) for “£50” in the second place where it occurs there shall be substituted “that amount”.

Revocation

3. The Social Security (Invalid Care Allowance) (Amendment) Regulations (Northern Ireland) 1993(d) are hereby revoked.

(a) 1992 c. 7; section 70 was amended by regulation 2(3) of S.R. 1994 No. 370
(b) See Article 8(b) of S.R. 1999 No. 481
(c) S.R. 1976 No. 99; relevant amending regulations are S.R. 1993 No. 72 and S.R. 1996 No. 521
(d) S.R. 1993 No. 72

Sealed with the Official Seal of the Department for Social Development
on 16th 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.)

Regulation 2 of these Regulations amends regulation 8(1) of the Social Security (Invalid Care Allowance) Regulations (Northern Ireland) 1976 to increase the amount there specified so that a person shall not be treated as gainfully employed on any day in a week unless his earnings in the immediately preceding week have exceeded an amount equal to the lower earnings limit. Section 5 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 provides for the lower earnings limit for each tax year to be specified in regulations.

Regulation 3 makes a consequential revocation.

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.

These Regulations do not impose a charge on business.

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