

2002 No. 106

SOCIAL SECURITY

**The Social Security (Hospital In-Patients) (Amendment)
Regulations (Northern Ireland) 2002**

Made 14th March 2002

Coming into operation 8th April 2002

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) 2002 and shall come into operation on 8th April 2002.

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) for the definition of “39% of the basic pension”(d) there shall be substituted the following definition—

“ “38% of the basic pension” means an amount equal to 38 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 “39%” there shall be substituted “38%”.

Revocation

3. The Social Security (Hospital In-Patients) (Amendment) Regulations (Northern Ireland) 2001(f) are hereby revoked.

(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 and S.R. 2001 No. 115

(d) The definition of “39% of the basic pension” was inserted by regulation 2(2) of S.R. 2001 No. 115

(e) Regulation 5 was substituted by regulation 2(5) of S.R. 1987 No. 391 and amended by regulation 2(3) of S.R. 2001 No. 115

(f) S.R. 2001 No. 115

Sealed with the Official Seal of the Department for Social Development
on 14th March 2002.

(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 39 per cent. to 38 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 correspond to provision contained in Regulations made by the Secretary of State for Work and Pensions 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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