

1972. No. 109

[C]

## NATIONAL INSURANCE

## General Benefit and Miscellaneous Amendments

REGULATIONS, DATED 5TH APRIL 1972, MADE BY THE NATIONAL INSURANCE JOINT AUTHORITY, IN CONJUNCTION WITH THE MINISTRY OF FINANCE, UNDER THE NATIONAL INSURANCE ACTS (NORTHERN IRELAND) 1966 TO 1971.

The National Insurance Joint Authority, in conjunction with the Ministry of Finance so far as relates to matters with regard to which the Ministry of Finance has so directed, in exercise of powers conferred by sections 49(1) and 54(1) of the National Insurance Act (Northern Ireland) 1966(a), and of all other powers enabling them in that behalf, hereby make the following regulations being regulations subject to negative resolution in accordance with section 101(3) of that Act:

*Citation, commencement and interpretation*

1.—(1) These regulations may be cited as the National Insurance (General Benefit and Miscellaneous Amendments) Regulations (Northern Ireland) 1972 and shall come into operation on 14th April 1972.

(2) In these regulations—

“the General Benefit Regulations” means the National Insurance (General Benefit) Regulations (Northern Ireland) 1971(b);

“the Overlapping Benefits Regulations” means the National Insurance (Overlapping Benefits) Regulations (Northern Ireland) 1961(c);

“the Hospital In-Patients Regulations” means the National Insurance (Hospital In-Patients) Regulations (Northern Ireland) 1961(d).

*Amendment of the General Benefit Regulations*

2. After regulation 9 of the General Benefit Regulations there shall be inserted the following regulation:

*“Deeming benefit under the Act abated under section 17(1A) of the Supplementary Benefits &c. Act (Northern Ireland) 1966 to be a contribution for the maintenance of adult dependant or to the cost of providing for child*

9A. Where for any period a person (in this regulation referred to as A) is entitled to, or to an increase in the amount of, any such benefit, allowance or pension as is mentioned in section 17(1)(a) of the Supplementary Benefits &c. Act (Northern Ireland) 1966(e) (benefits, allowances and pensions under the National Insurance Acts (Northern Ireland) 1966 to 1971) in respect of another person (in this regulation referred to as B) and the amount of, or of the increase in, any such benefit, allowance or

(a) 1966. c. 6 (N.I.).

(b) S.R. & O. (N.I.) 1971, No. 190.

(c) S.R. & O. (N.I.) 1961, No. 180.

(d) S.R. & O. (N.I.) 1961, No. 179.

(e) 1966. c. 28 (N.I.).

pension is abated under the provisions of section 17(1A)(f) of the said Act of 1966 (further provision for preventing duplication of supplementary and other benefits), then in determining for the purposes of Part II of the Act whether A is wholly or mainly maintaining, or is contributing at any weekly rate to the maintenance of, or is or has been contributing at any weekly rate to the cost of providing for, B, the amount by which such benefit, allowance or pension for any week has been so abated shall be deemed to be a contribution of that amount for that week made by A for the maintenance of, or to the cost of providing for, B, as the case may be."

*Amendment of the Overlapping Benefits Regulations*

3.—(1) The Overlapping Benefits Regulations shall be amended in accordance with paragraphs (2) and (3).

(2) At the end of the definition of "dependency benefit" in regulation 1(2) there shall be added the words "and includes child's special allowance".

(3) In regulation 2 (adjustment of personal benefit under the Act where other personal benefit (whether under the Act or otherwise) is payable), in paragraph (4)(b), for the words "and being over seventy years of age" there shall be substituted the words "and being over sixty-five years of age".

*Amendment of the Hospital In-Patients Regulations*

4. In the Hospital In-Patients Regulations, at the end of the definition of "dependency benefit" in regulation 1(2), there shall be added the words "and includes child's special allowance".

Given under the Official Seal of the National Insurance Joint Authority  
this 5th day of April 1972.

(L.S.)

*F. B. Hindmarsh,*

A person authorised by the National Insurance Joint Authority to act on behalf of the Secretary, National Insurance Joint Authority.

Given under the Official Seal of the Ministry of Finance for Northern Ireland this 5th day of April 1972.

(L.S.)

*C. F. Darling,*  
Assistant Secretary.

## EXPLANATORY NOTE

*(This note is not part of the regulations, but is intended to indicate their general purport.)*

These regulations amend the National Insurance (General Benefit) Regulations (Northern Ireland) 1971, the National Insurance (Overlapping Benefits) Regulations (Northern Ireland) 1961 and the National Insurance (Hospital In-Patients) Regulations (Northern Ireland) 1961.

Regulation 2, which is made in consequence of section 3 of the Social Security Act (Northern Ireland) 1971 (extension of the provisions for the prevention of duplication of social security payments contained in section 17 of the Supplementary Benefits &c. Act (Northern Ireland) 1966) and which amends the General Benefit Regulations, provides that where benefit under the National Insurance Acts (Northern Ireland) 1966 to 1971 in respect of an adult dependant or child is abated pursuant to the provisions of section 17(1A) of the Supplementary Benefits &c. Act (Northern Ireland) 1966, then the amount by which it is abated is to be deemed to be a contribution of that amount towards the maintenance of the adult dependant or the cost of providing for the child in question, as the case may be, for the purpose of Part II of the National Insurance Act (Northern Ireland) 1966.

Regulation 3 amends the Overlapping Benefits Regulations by adding, for the removal of doubt, an express reference to child's special allowance to the definition of "dependency benefit" in regulation 1(2). It also amends regulation 2(4)(b) so that certain grants payable to persons over age 65 (previously over age 70) are disregarded for adjustment purposes.

Regulation 4 makes an amendment to the definition of "dependency benefit" in regulation 1(2) of the Hospital In-Patients Regulations corresponding to the amendment made to the definition of "dependency benefit" in the Overlapping Benefits Regulations.