



Social Security Contributions and Benefits (Northern Ireland) Act 1992

1992 CHAPTER 7

PART IV

INCREASES FOR DEPENDANTS

Adult dependants

82 Short-term benefit: increase for adult dependants.

- (1) Subject to section 61 above and section 87 below, the weekly rate of unemployment benefit ^{F1}. . . it shall be increased by the amount specified in relation to the [^{F2}that benefit] in Schedule 4, Part IV, column (3), for any period during which—
- (a) the beneficiary is—
 - (i) residing with his wife, or
 - (ii) contributing to the maintenance of his wife at a weekly rate not less than that amount; and
 - (b) his wife does not have weekly earnings which exceed that amount.
- ^{F3}(2) Subject, in particular, to subsection (5) and section 87 below, the weekly rate of a maternity allowance shall be increased by the amount specified in relation to that benefit in Schedule 4, Part IV, column (3) (“the amount of the relevant increase”) for any period to which this subsection applies by virtue of subsection (3) or (4) below.]
- (3) Subsection (2) above applies by virtue of this subsection to any period during which—
- (a) the beneficiary’s husband [^{F4}or civil partner] does not have weekly earnings which exceed the amount of the relevant increase, and
 - (b) either she and her husband [^{F5}or civil partner] are residing together or she is contributing to [^{F6}her husband’s or civil partner’s] maintenance at a weekly rate not less than that amount.

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- (4) Subsection (2) above applies by virtue of this subsection to any period during which a person—
- (a) who is neither the spouse [^{F7}or civil partner] of the beneficiary nor a child [^{F8}or qualifying young person], and
 - (b) in respect of whom such further conditions as may be prescribed are fulfilled, has the care of [^{F9}one or more children or qualifying young persons] in respect of whom the beneficiary is entitled to child benefit.
- (5) A beneficiary shall not under subsection (2) above be entitled for the same period to an increase of benefit in respect of more than one person.

Textual Amendments

- F1** Words in s. 82(1) repealed (13.4.1995) by S.I. 1994/1898 (N.I. 12), art. 13(1)(2), Sch. 1 Pt. I para. 19(a), **Sch. 2** (with art. 15(1)); S.R. 1994/450, art. 2, **Sch. Pt. IV**
- F2** Words in s. 82(1) substituted (13.4.1995) by S.I. 1994/1898 (N.I. 12), art. 13(1), **Sch. 1 Pt. I para. 19(a)** (with art. 15(1)); S.R. 1994/450, art. 2, **Sch. Pt. IV**
- F3** S. 82(2) substituted (7.10.1996) by S.I. 1995/2705 (N.I. 15), art. 40(1), **Sch. 2 para. 7**; S.R. 1996/401, **art. 2**
- F4** Words in s. 82(3)(a) inserted (5.12.2005) by Civil Partnership Act 2004 (c. 33), s. 263(8)(d), **Sch. 24 para. 89(a)**; S.I. 2005/3255, art. 2(1), Sch.
- F5** Words in s. 82(3)(b) inserted (5.12.2005) by Civil Partnership Act 2004 (c. 33), s. 263(8)(d), **Sch. 24 para. 89(a)**; S.I. 2005/3255, art. 2(1), Sch.
- F6** Words in s. 82(3)(b) substituted (5.12.2005) by Civil Partnership Act 2004 (c. 33), s. 263(8)(d), **Sch. 24 para. 89(b)**; S.I. 2005/3255, art. 2(1), Sch.
- F7** Words in s. 82(4)(a) inserted (5.12.2005) by Civil Partnership Act 2004 (c. 33), s. 263(8)(d), **Sch. 24 para. 89(c)**; S.I. 2005/3255, art. 2(1), Sch.
- F8** Words in s. 82(4) inserted (10.4.2006) by Child Benefit Act 2005 (c. 6), s. 6(2), **Sch. 1 para. 31(a)**
- F9** Words in s. 82(4) substituted (10.4.2006) by Child Benefit Act 2005 (c. 6), s. 6(2), **Sch. 1 para. 31(b)**

^{F10}**83 Pension increase (wife).**

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Textual Amendments

- F10** S. 83 repealed (6.4.2010 with savings until 6.4.2020) by Pensions Act (Northern Ireland) 2008 (c. 1), s. 4(1)(a), **Sch. 6 Pt. 2** (with s. 4(5)-(8))

^{F11}**84 Pension increase (husband).**

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Textual Amendments

- F11** S. 84 repealed (6.4.2010 with savings until 6.4.2020) by Pensions Act (Northern Ireland) 2008 (c. 1), s. 4(1)(b), **Sch. 6 Pt. 2** (with s. 4(5)-(8))

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^{F12}85 Pension increase (person with care of children or qualifying young persons).

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Textual Amendments

F12 S. 85 repealed (6.4.2010 with savings until 6.4.2020) by Pensions Act (Northern Ireland) 2008 (c. 1), s. 4(1)(c), **Sch. 6 Pt. 2** (with s. 4(5)-(8))

^{F13}86

Textual Amendments

F13 S. 86 repealed (13.4.1995) by S.I. 1994/1898 (N.I. 12), art. 13(1)(2), Sch. 1, Pt. I para. 23, **Sch. 2** (with art. 15(1)); S.R. 1994/450, art. 2, **Sch. Pt. IV**

[^{F14}86A Incapacity benefit: increase for adult dependants.

- (1) The weekly rates of short-term and long-term incapacity benefit shall, in such circumstances as may be prescribed, be increased for adult dependants by the appropriate amount specified in relation to benefit of that description in Schedule 4, Part IV, column (3).
- (2) Regulations may provide that where the person in respect of whom an increase of benefit is claimed has earnings in excess of such amount as may be prescribed there shall be no increase of benefit under this section.]

Textual Amendments

F14 S. 86A inserted (21.11.1994 for the purpose of making regulations and 13.4.1995 otherwise) by S.I. 1994/1898 (N.I. 12), **art. 4(4)** (with art. 15(1)); S.R. 1994/450, art. 2, **Sch. Pt. II**

87 Rate of increase where associated retirement pension is attributable to reduced contributions.

- (1) Where a person—
 - ^{F15}(a) is entitled to short-term incapacity benefit under section 30A(2)(b) above; and]
 - (b) would have been entitled only by virtue of section 60(1) above to the retirement pension by reference to which the rate of that benefit ^{F16}. . . is determined,

[^{F17}the amount of any increase of the benefit attributable to sections 82 to 86A above shall be determined in accordance with regulations under this section.]

- (2) The regulations shall not provide for any such increase in a case where the retirement pension by reference to which the rate of the said benefit ^{F16}. . . is determined—
 - (a) would have been payable only by virtue of section 60 above; and

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- (b) would, in consequence of a failure to satisfy a contribution condition, have contained no basic pension.

Textual Amendments

- F15** S. 87(1)(a) substituted (7.10.1996) by S.I. 1995/2705 (N.I. 15), art. 40(1), **Sch. 2 para. 9**; S.R. 1996/401, **art. 2**
- F16** Words in s. 87(1)(b)(2) repealed (13.4.1995) by S.I. 1994/1898 (N.I. 12), art. 13(1)(2), Sch. 1 Pt. I para. 24(4), **Sch. 2** (with art. 15(1)); S.R. 1994/450, art. 2, **Sch. Pt. IV**
- F17** Words following s. 87(1)(b) substituted (13.4.1995) by S.I. 1994/1898 (N.I. 12), art. 13(1), **Sch. 1 Pt. I para. 24(3)** (with art. 15(1)); S.R. 1994/450, art. 2, **Sch. Pt. IV**

Modifications etc. (not altering text)

- C1** S. 87 modified (13.4.1995) by S.R. 1994/485, **regs. 1, 13**

[^{F18}88 Increases to be in respect of only one adult dependant.

A person shall not [^{F19}by virtue of section 86A] above be entitled for the same period to an increase of benefit in respect of more than one person.]

Textual Amendments

- F18** S. 88 substituted (13.4.1995) by S.I. 1994/1898 (N.I. 12), art. 13(1), **Sch. 1 Pt. I para. 25** (with art. 15(1)); S.R. 1994/450, art. 2, **Sch. Pt. IV**
- F19** Words in s. 88 substituted (6.4.2010 with savings until 6.4.2020) by Pensions Act (Northern Ireland) 2008 (c. 1), s. 4(4), **Sch. 1 para. 14** (with s. 4(5)-(8))

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