



Social Security Contributions and Benefits (Northern Ireland) Act 1992

1992 CHAPTER 7

PART VI

MISCELLANEOUS PROVISIONS RELATING TO PART I TO V

Persons maintaining dependants, etc.

114 Persons maintaining dependants, etc.

- (1) Regulations may provide for determining the circumstances in which a person is or is not to be taken, for the purposes of Parts II to V of this Act—
 - (a) to be wholly or mainly, or to a substantial extent, maintaining, or to be contributing at any weekly rate to the maintenance of, another person; or
 - (b) to be, or have been, contributing at any weekly rate to the cost of providing for a child [^{F1}or qualifying young person].
- (2) Regulations under this section may provide, for the purposes of the provisions relating to an increase of benefit under Parts II to V of this Act in respect of a [^{F2}wife, civil partner] or other adult dependant, that where—
 - (a) a person is partly maintained by each of two or more beneficiaries, each of whom would be entitled to such an increase in respect of that person if he were wholly or mainly maintaining that person, and
 - (b) the contributions made by those two or more beneficiaries towards the maintenance of that person amount in the aggregate to sums which would, if they had been contributed by one of those beneficiaries, have been sufficient to satisfy the requirements of regulations under this section,that person shall be taken to be wholly or mainly maintained by such of those beneficiaries as may be prescribed.
- (3) Regulations may provide for any sum or sums paid by a person by way of contribution towards either or both of the following, that is to say—

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- (a) the maintenance of his or her spouse [^{F3}or civil partner], and
- (b) the cost of providing for one or more children [^{F4}or qualifying young persons],
- to be treated for the purposes of any of the provisions of this Act specified in subsection (4) below as such contributions, of such respective amounts equal in the aggregate to the said sum or sums, in respect of such persons, as may be determined in accordance with the regulations so as to secure as large a payment as possible by way of benefit in respect of the dependants.
- (4) The provisions in question are sections 56, [^{F5}82] to 84 ^{F6}. . . and paragraphs 5 and 6 of Schedule 7 to this Act.

Textual Amendments

- F1** Words in s. 114(1) inserted (10.4.2006) by Child Benefit Act 2005 (c. 6), s. 6(2), **Sch. 1 para. 33(2)**
- F2** Words in s. 114(2) substituted (5.12.2005) by Civil Partnership Act 2004 (c. 33), s. 263(8)(d), **Sch. 24 para. 93(a)**; S.I. 2005/3255, art. 2(1), Sch.
- F3** Words in s. 114(3)(a) inserted (5.12.2005) by Civil Partnership Act 2004 (c. 33), s. 263(8)(d), **Sch. 24 para. 93(b)**; S.I. 2005/3255, art. 2(1), Sch.
- F4** Words in s. 114(3) inserted (10.4.2006) by Child Benefit Act 2005 (c. 6), s. 6(2), **Sch. 1 para. 33(3)**
- F5** Word in s. 114(4) substituted (6.4.2003) by Tax Credits Act 2002 (c. 21), s. 61, **Sch. 3 para. 46**; S.I. 2003/962, art. 2(3)(d)(iii)
- F6** Words in s. 114(4) repealed (13.4.1995) by S.I. 1994/1898 (N.I. 12), art. 13(2), **Sch. 2**; S.R. 1994/450, art. 2(d), **Sch. Pt. IV**

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