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## STATUTORY INSTRUMENTS

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# 1975 No. 563

## The Social Security Benefit (Persons Abroad) Regulations 1975

### Modification of the Act in relation to title to <sup>F1</sup>... disablement benefit and industrial death benefit

9.—<sup>F2</sup>(1) .....

<sup>F3</sup>(2) .....

(3) A person shall not be disqualified for receiving [<sup>F4</sup>disablement benefit (other than any increase thereof under sections 58, 59, 61, 62, 63 or 66 of the Act)] by reason of being absent from Great Britain.

(4) A person shall not be disqualified for receiving an increase of disablement pension in respect of the need for constant attendance under section 61, or under regulations made under section 159(3), or in respect of exceptionally severe disablement under section 63, of the Act, by reason of being temporarily absent from Great Britain during the period of 6 months from the date on which such absence commences or during such longer period as the Secretary of State may, having regard to the purpose of the absence and any other factors which appear to him to be relevant, allow.

(5) A person shall not be disqualified for receiving [<sup>F5</sup>reduced earnings allowance under section 59A of the Act,] by reason of being temporarily absent from Great Britain during the period of 3 months from the date on which such absence commences or during such longer period as the Secretary of State may, having regard to the purpose of the absence and any other factors which appear to him to be relevant, allow, so however that—

- (a) such absence or any part thereof is not for the purpose of or in connection with any employment, trade or business;
- (b) a claim as a result of which a decision is given awarding [<sup>F5</sup>such allowance] in respect of such period of absence or part thereof was made before the commencement of such absence; and
- (c) the period taken into account by the award of [<sup>F5</sup>such allowance] to that person either includes the day of commencement of such absence or follows a period so taken into account which includes that day without there being a break in entitlement by that person to such increase from that day.

(6) A person shall not be disqualified for receiving industrial death benefit by reason of being absent from Great Britain.

[<sup>F6</sup>(7) A person shall not be disqualified for receiving retirement allowance under paragraph 13 of Schedule 7 to the Contributions and Benefits Act by reason of being absent from Great Britain.]

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#### Textual Amendments

**F1** Words in reg. 9 heading omitted (6.4.1983) by virtue of [The Social Security \(Abolition of Injury Benefit\) \(Consequential\) Regulations 1983 \(S.I. 1983/186\)](#), regs. 1(1), **5(3)**

**F2** Reg. 9(1) revoked (6.4.1983) by [The Social Security \(Abolition of Injury Benefit\) \(Consequential\) Regulations 1983 \(S.I. 1983/186\)](#), regs. 1(1), **5(4)**

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- F3** Reg. 9(2) revoked (14.11.1977) by [The Social Security Benefit \(Persons Abroad\) Amendment Regulations 1977 \(S.I. 1977/1679\)](#), regs. 1(1), 2(4)
- F4** Words in reg. 9(3) substituted (1.10.1986) by [The Social Security \(Industrial Injuries and Diseases\) Miscellaneous Provisions Regulations 1986 \(S.I. 1986/1561\)](#), regs. 1(1), **4(a)**
- F5** Words in reg. 9(5) substituted (1.10.1986) by [The Social Security \(Industrial Injuries and Diseases\) Miscellaneous Provisions Regulations 1986 \(S.I. 1986/1561\)](#), regs. 1(1), **4(b)**
- F6** Reg. 9(7) added (16.11.1992) by [The Social Security \(Miscellaneous Provisions\) Amendment \(No. 2\) Regulations 1992 \(S.I. 1992/2595\)](#), regs. 1, **10**

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