
STATUTORY INSTRUMENTS

2003 No. 735

The Social Security Contributions and Benefits (Northern Ireland) Act 1992 (Modifications for Her Majesty's Forces and Incapacity Benefit) Regulations 2003

Modification of paragraph 2(6) of Schedule 3 to the Social Security Contributions and Benefits (Northern Ireland) Act 1992

4. Paragraph 2(6) of Schedule 3 to the Social Security Contributions and Benefits (Northern Ireland) Act 1992 (contribution conditions for entitlement to incapacity benefit) shall be modified, in respect of persons who have been members of Her Majesty's forces, as if—

(a) after “is” in paragraph (b) (meaning of “the relevant benefit year”)(**1**), there were inserted “, subject to paragraph (c),” and

(b) at the end, there were added—

“(c) in the case of a person who is discharged from Her Majesty's forces, and for whom days of sickness absence from duty recorded by the Secretary of State for Defence are included in calculating the number of days for which the person has been entitled to short-term incapacity benefit, “the relevant benefit year” is the benefit year in which there falls the beginning of the period to which the claim for incapacity benefit relates.”.

(1) Paragraph 2(6)(b) was amended by paragraph 38(2) of Schedule 1 to the Social Security (Incapacity for Work) (Northern Ireland) Order 1994.