1993 No. 341

SOCIAL SECURITY

The Social Security (Invalid Care Allowance) (Amendment No. 2) Regulations (Northern Ireland) 1993

Made	*30th July 1993*
Coming into operation . .	*17th August 1993*

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by section 70(8) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**a**) and of all other powers enabling it in that behalf, hereby makes the following regulations:

Citation and commencement

1. These regulations may be cited as the Social Security (Invalid Care Allowance) (Amendment No. 2) Regulations (Northern Ireland) 1993 and shall come into operation on 17th August 1993.

Amendment of the Social Security (Invalid Care Allowance) Regulations

2.—(1) Regulation 4 of the Social Security (Invalid Care Allowance) Regulations (Northern Ireland) 1976(**b**) (circumstances in which persons are or are not to be treated as engaged or regularly and substantially engaged in caring for severely disabled persons) shall be amended in accordance with paragraphs (2) and (3) of this regulation.

(2) In paragraph (1) at the beginning there shall be inserted "Subject to paragraph (1A) of this regulation,".

(3) After paragraph (1) there shall be inserted the following paragraph—

"(1A) A person who is caring for two or more severely disabled persons in a week shall be treated as engaged and as regularly and substantially engaged in caring for a severely disabled person only where he is engaged and regularly engaged for at least 35 hours in that week in caring for any one severely disabled person, considered without reference to any other severely disabled person for whom he is caring.".

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 30th July 1993.

(L.S.) *W. F. T. Green*
Assistant Secretary

(**a**) 1992 c. 7
(**b**) S.R. 1976 No. 99, to which there are amendments not relevant to these regulations

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations amend regulation 4 of the Social Security (Invalid Care Allowance) Regulations (Northern Ireland) 1976.

Regulation 2 provides that a person who cares for two or more severely disabled persons will be treated as engaged and as regularly and substantially engaged in caring for a severely disabled person only where at least 35 hours a week is spent in caring for any one of the severely disabled persons, considered without reference to any other severely disabled person for whom he is caring.

These regulations make in relation to Northern Ireland only provision corresponding to provision contained in regulations made by the Secretary of State for Social Security in relation to Great Britain and accordingly, by virtue of section 149(3) of, and paragraph 10 of Schedule 5 to, the Social Security Administration (Northern Ireland) Act 1992 (c. 8), are not subject to the requirement of section 149(2) of that Act for prior reference to the Social Security Advisory Committee.