1991 No. 56

SOCIAL SECURITY

The Social Security (Invalid Care Allowance) (Amendment) Regulations (Northern Ireland) 1991

Made . . . . . *25th February 1991*

Coming into operation . . *8th April 1991*

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by section 37(8) of the Social Security (Northern Ireland) Act 1975(**a**) and of all other powers enabling it in that behalf, hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Social Security (Invalid Care Allowance) (Amendment) Regulations (Northern Ireland) 1991 and shall come into operation on 8th April 1991.

(2) In these regulations "the principal regulations" means the Social Security (Invalid Care Allowance) Regulations (Northern Ireland) 1976(**b**).

Amendment of regulation 8 of the principal regulations

2. In regulation 8(1) of the principal regulations (circumstances in which a person is or is not to be treated as gainfully employed) for "£20", in both places where it occurs, there shall be substituted "£30".

Revocations

3. The Social Security (Invalid Care Allowance) (Amendment) Regulations (Northern Ireland) 1990(**c**) are hereby revoked.

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 25th February 1991.

(L.S.) *A. N. Burns*
Assistant Secretary

(**a**) 1975 c. 15
(**b**) S.R. 1976 No. 99; the relevant amending regulations are S.R. 1990 No. 111
(**c**) S.R. 1990 No. 111

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations amend the Social Security (Invalid Care Allowance) Regulations (Northern Ireland) 1976 ("the principal regulations"). They correspond 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 10(2) of, and paragraph 21 of Schedule 3 to, the Social Security Act 1980 (c. 30), are not subject to the requirement of section 10(1) of that Act for prior reference to the Social Security Advisory Committee.

Under section 37(1) of the Social Security (Northern Ireland) Act 1975 a person is entitled to an invalid care allowance for any day on which he is engaged in caring for a severely disabled person if, among other things, he is not gainfully employed. Regulation 8(1) of the principal regulations provides that a person is not to be treated as gainfully employed on any day in a week unless, and is to be treated as gainfully employed on every day in a week if, his earnings in the immediately preceding week (subject to specified exceptions) have exceeded a certain sum. These regulations increase that sum from £20 to £30.

Regulation 3 contains a revocation consequent upon the coming into operation of these regulations.