STATUTORY INSTRUMENTS

1983 No. 1683

SOCIAL SECURITY

The Social Security (Non-Contributory Invalidity Pension) Amendment Regulations 1983

Made - - - -	15*th November* 1983
Laid before Parliament	18*th November* 1983
Coming into Operation	9*th December* 1983

The Secretary of State for Social Services, in exercise of the powers conferred by section 36(7) of the Social Security Act 1975**(a)**, and of all other powers enabling him in that behalf, after agreement with the Social Security Advisory Committee that proposals to make these regulations should not be referred to it, **(b)** hereby makes the following regulations:—

Citation and commencement

1. These regulations, which may be cited as the Social Security (Non-Contributory Invalidity Pension) Amendment Regulations 1983, amend the Social Security (Non-Contributory Invalidity Pension) Regulations 1975**(c)** (hereinafter referred to as "the principal regulations") and shall come into operation on 9th December 1983.

Amendment of regulation 4 of the principal regulations

2. In regulation 4 of the principal regulations after paragraph (2) there shall be inserted the following paragraph—

"(3) Paragraph (2)(*a*) of this regulation shall not apply in the case of a person who was absent from Great Britain on any day by reason only of the fact that on that day—

(*a*) he was abroad in his capacity as—

(i) a serving member of the forces within the meaning of "serving member of the forces" in regulation 1(2) of the Social Security (Contributions) Regulations 1979**(d)**, or

(ii) an airman or mariner within the meaning of regulation 81 and regulation 86 respectively of those regulations; or

(*b*) he is in prescribed employment in connection with continental shelf operations within the meaning of regulation 85 of those regulations; or

(a) 1975 c. 14.
(b) *See* sections 10(2)(*b*) of the Social Security Act 1980 (c. 30).
(c) S.I. 1975/1058; the relevant amending instrument is S.I. 1978/1845.
(d) S.I. 1979/591; the relevant amending instrument is S.I. 1982/1738.

(*c*) he was living with a person mentioned in sub-paragraph (*a*)(i) above and was the spouse, son, daughter, father, father-in-law, mother or mother-in-law of that person.".

Signed by authority of the Secretary of State for Social Services.

Tony Newton,
Parliamentary Under-Secretary of State,
Department of Health and Social Security.

15th November 1983.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These regulations amend regulation 4 of the Social Security (Non-Contributory Invalidity Pension) Regulations 1975, which relates to days for which persons are regarded as incapable of work for the purposes of non-contributory invalidity pension, so that the requirement that in determining whether a person has been incapable of work for 196 consecutive days a day is not to be treated as one on which he is incapable of work if he was absent from Great Britain does not apply to a serving member of the forces, a person employed in operations on the continental shelf, or an airman or mariner, or a member of the family of a serving member of the forces.

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