1968. No. 265 **[C]**

SUPPLEMENTARY BENEFITS

General

REGULATIONS, DATED 6TH DECEMBER 1968, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES UNDER THE SUPPLEMENTARY BENEFITS &c. ACT (NORTHERN IRELAND) 1966.

The Ministry of Health and Social Services, in exercise of powers conferred by section 7 of the Supplementary Benefits &c. Act (Northern Ireland) 1966(a), and of all other powers enabling it in that behalf, hereby makes the following regulations:

Citation and commencement

1. These regulations, which may be cited as the Supplementary Benefit (General) Amendment Regulations (Northern Ireland) 1968, shall be read as one with the Supplementary Benefit (General) Regulations (Northern Ireland) 1966(b) (hereinafter referred to as "the principal regulations") and shall come into operation on 30th December 1968.

Regulation substituted for regulation 2 of the principal regulations

2. For the heading of regulation 2 of the principal regulations and for that regulation there shall be substituted respectively the following heading and regulation:

"Modification of condition requiring residence in the United Kingdom for qualifying period

2.—(1) It shall be an exception to the requirement of section 7 of the Act that a person who has not been resident in the United Kingdom for a period of five years immediately preceding the date on which his application for benefit was made shall be treated for the purposes of that section as if he had been resident in the United Kingdom:

(*a*) during any period during which he was—

(i) employed as a member of any of Her Majesty's Forces;

(ii) employed on board any ship, vessel or aircraft in an employment which for the purposes of the National Insurance Act (Northern Ireland) 1966(c) has been treated as an employed contributor's employment;

(iii) employed under a contract of service by an employer having a place of business in the United Kingdom, having been resident in the United Kingdom immediately before becoming so employed;

(iv) resident in a country with which a convention or agreement (being a convention or agreement under which in relation to benefit under the Act residence in that other country is treated as if it were residence in the United Kingdom) has been made providing for reciprocity in the matter of benefit under the Act and of comparable benefit under the legislation of that other

(a) 1966. c. 28 (N.I.).
(b) S.R. & O. (N.I.) 1966, No. 188.
(c) 1966. c. 6 (N.I.).

country for persons whose resources are insufficient to meet their requirements, being a person to whom the convention or agreement applies; or

(v) not resident in the United Kingdom, having been resident therein before the commencement of that period, for any cause which in the opinion of the Commission was in all the circumstances reasonable;

or

(*b*) being a man whose requirements are taken under paragraph 3 of Schedule 2 to the Act to include those of his wife or of a person who is or was a child of hers, during any period, whether before or after the date of the marriage, during which the said wife was—

(i) resident in the United Kingdom; or

(ii) a person to whom sub-paragraph (*a*) would have applied if she had made an application for benefit;

or

(*c*) being a woman who is or has been married, during any period, whether before or after the date of her marriage but before its termination, during which her husband was—

(i) resident in the United Kingdom; or

(ii) a person to whom sub-paragraph (*a*) would have applied if he had made an application for benefit.

(2) Paragraph (1)(*b*) shall apply similarly as regards the man where two persons are or have been cohabiting as man and wife and paragraph (1)(*c*) shall apply similarly as regards the woman where two persons have been cohabiting as man and wife, the cohabitation has terminated, and her requirements are taken under paragraph 3 of Schedule 2 to the Act to include those of a person who is or was a child of theirs; and in either case the references in those provisions to a wife and to a husband shall be construed accordingly and the references to the date of marriage and to its termination shall be construed respectively as references to the date of the commencement of the cohabitation and to its termination.

(3) In this regulation the expression 'wife' in relation to a man who has been married more than once and the expression 'husband' in relation to a woman who has been married more than once refer respectively only to his last wife and to her last husband."

Sealed with the Official Seal of the Ministry of Health and Social Services for Northern Ireland this 6th day of December 1968.

(L.S.) *H. A. Lowry,*
Assistant Secretary.

EXPLANATORY NOTE

(This note is not part of the regulations, but is intended to indicate their general purport.)

The regulations amend the Supplementary Benefit (General) Regulations (Northern Ireland) 1966 by substituting for the existing regulation 2 a new regulation to include further modifications of the condition requiring residence in the United Kingdom for a qualifying period for the purpose of entitlement to supplementary benefit.