

STATUTORY INSTRUMENTS

1986 No. 1545

SOCIAL SECURITY

**The Social Security Benefit (Persons Abroad) Amendment (No. 2)
Regulations 1986**

Made - - - 4th September 1986

Laid before Parliament 10th September 1986

Coming into Operation 1st October 1986

The Secretary of State for Social Services, in exercise of powers conferred upon him by sections 51(1), 131, 168(1) of, and Schedule 20 to, the Social Security Act 1975(a) and of all other powers enabling him in that behalf, after agreement by both the Social Security Advisory Committee and the Industrial Injuries Advisory Council that proposals to make these regulations should not be referred to them (b), hereby makes the following regulations:—

Citation, interpretation and commencement

1. These regulations, which may be cited as the Social Security Benefit (Persons Abroad) Amendment (No. 2) Regulations 1986, amend the Social Security Benefit (Persons Abroad) Regulations 1975(c) (hereinafter referred to as “the principal regulations”) and shall come into operation on 1st October 1986.

Amendment of regulation 2(1)(bb) of the principal regulations

2. In regulation 2(1)(bb)(d) of the principal regulations for the words “only of sickness benefit” there shall be substituted the words “of sickness benefit and invalidity benefit”.

Amendment of regulation 10C of the principal regulations

3. At the end of regulation 10C of the principal regulations there shall be added the following paragraphs:—

“ (5) Where on or after 1st October 1986 a person to whom this paragraph applies sustains an accident arising out of, and in the course of, his employment, or contracts a prescribed disease due to the nature of his employment, such employment shall for the purposes of Chapters IV and V of Part II of the Act (benefit for industrial injuries and diseases) be treated as employed earner’s employment notwithstanding that he is employed outside Great Britain, and any benefit which would be payable under those

(a) 1975 c.14. See the definition, in Schedule 20, of “regulations”.

(b) See section 61(1)(b) of the Social Security Act 1986 (c.50).

(c) S.I. 1975/563; the relevant amending instruments are S.I. 1977/1679, 1979/463, 1981/1157, 1983/186, 1984/1303 and 1986/486.

(d) See S.I. 1983/186, regulation 5(2).

chapters but for the provisions of section 50(5) of the Act and regulation 14 of the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations 1985(a) shall be payable from the date of his return to Great Britain notwithstanding that the accident happened or the disease was contracted while he was outside it.

(6) Paragraph (5) applies to any person in respect of whom Class 1 contributions are payable by virtue of regulation 120 of the Social Security (Contributions) Regulations 1979 (b) or who is paying Class 2 (volunteer development workers) contributions under Case G of those regulations (c).”

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

John Major,
Parliamentary Under-Secretary of State,
Department of Health and Social Security.

4th September 1986.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Social Security Benefit (Persons Abroad) Regulations 1975 (the principal regulations). Both the Social Security Advisory Committee and the Industrial Injuries Advisory Council have agreed to the regulations being made without a reference of proposals in this respect and the regulations are made without being referred to either body.

Regulation 2 amends regulation 2(1)(bb) of the principal regulations to add invalidity benefit to the category of benefit a person is not disqualified from receiving where his incapacity for work is the result of an industrial injury and his absence from Great Britain is for the specific purpose of receiving treatment for the injury.

Regulation 3 amends regulation 10C of the principal regulations in the case of a person who sustains an industrial accident or contracts a prescribed disease outside Great Britain, and is a person in respect of whom Class 1 contributions are payable by virtue of regulation 120 of the Social Security (Contributions) Regulations 1979 or who is paying Class 2 contributions as a volunteer development worker under Case G of those regulations. The amendment confers the same right to benefit, from the date of his return to Great Britain, as in the case of an employed earner who has sustained an accident or disease in this country.

(a) S.I. 1985/967.

(b) S.I. 1979/591.

(c) See S.I. 1986/485.

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