
STATUTORY INSTRUMENTS

1992 No. 2595

**The Social Security (Miscellaneous Provisions)
Amendment (No. 2) Regulations 1992**

PART III

MISCELLANEOUS AMENDMENTS

Amendment of regulation 1 of the Persons Abroad Regulations

9. In paragraph (2) of regulation 1 of the Persons Abroad Regulations (citation, commencement and interpretation), after the definition of “the Child Benefit Act” there shall be inserted the following definition—

““the Contributions and Benefits Act” means the Social Security Contributions and Benefits Act 1992;”.

Amendment of regulation 9 of the Persons Abroad Regulations

10. In regulation 9 of the Persons Abroad Regulations (modification of the Act in relation to title to disablement benefit and industrial death benefit), after paragraph (6) there shall be added the following paragraph—

“(7) A person shall not be disqualified for receiving retirement allowance under paragraph 13 of Schedule 7 to the Contributions and Benefits Act by reason of being absent from Great Britain.”.

Amendment of regulation 2 of the Hospital In-Patients Regulations

11. For paragraph (2) of regulation 2 of the Hospital In-Patients Regulations (interpretation) there shall be substituted the following paragraph—

“(2) For the purposes of these Regulations, a person shall be regarded as receiving or having received free in-patient treatment for any period for which he is or has been maintained free of charge while undergoing medical or other treatment as an in-patient—

- (a) in a hospital or similar institution, under the National Health Service Act 1977⁽¹⁾, the National Health Service (Scotland) Act 1978⁽²⁾ or the National Health Service and Community Care Act 1990⁽³⁾; or
- (b) in a hospital or similar institution maintained or administered by the Defence Council;

and such a person shall for the purposes of sub-paragraph (a) be regarded as being maintained free of charge in a hospital or similar institution unless his accommodation and services are provided under section 65 of the National Health Service Act 1977, section 58

(1) 1977 c. 49.
(2) 1978 c. 29.
(3) 1990 c. 19.

of, or paragraph 14 of Schedule 7A to, the National Health Service (Scotland) Act 1978 or paragraph 14 of Schedule 2 to the National Health Service and Community Care Act 1990.”.

Amendment of regulation 1 of the Statutory Maternity Pay Regulations

12. In paragraph (2) of regulation 1 of the Statutory Maternity Pay Regulations (citation, commencement and interpretation), after the definition of “the 1986 Act” there shall be inserted the following definition—

““the Contributions and Benefits Act” means the Social Security Contributions and Benefits Act 1992.”.

Amendment of regulation 20 of the Statutory Maternity Pay Regulations

13.—(1) Regulation 20 of the Statutory Maternity Pay Regulations (meaning of “earnings”) shall be amended in accordance with the following provisions of this regulation.

(2) Paragraph (1) shall be omitted.

(3) For paragraph (2) there shall be substituted the following paragraph—

“(2) For the purposes of section 171(4) of the Contributions and Benefits Act, the expression “earnings” refers to gross earnings and includes any remuneration or profit derived from a woman’s employment except any payment or amount which is excluded from the computation of a person’s earnings under regulation 19 or 19B of the Social Security (Contributions) Regulations 1979(4).”.

(4) Paragraphs (3), (5) and (6) shall be omitted.

Amendment of regulation 1 of the Statutory Sick Pay Regulations

14. In paragraph (2) of regulation 1 of the Statutory Sick Pay Regulations (citation, commencement and interpretation), after the definition of “the Act” there shall be inserted the following definition—

““the Contributions and Benefits Act” means the Social Security Contributions and Benefits Act 1992;”.

Amendment of regulation 17 of the Statutory Sick Pay Regulations

15.—(1) Regulation 17 of the Statutory Sick Pay Regulations (meaning of “earnings”) shall be amended in accordance with the following provisions of this regulation.

(2) Paragraph (1) shall be omitted.

(3) For paragraph (2) there shall be substituted the following paragraph—

“(2) For the purposes of section 163(2) of the Contributions and Benefits Act, the expression “earnings” refers to gross earnings and includes any remuneration or profit derived from a person’s employment except any payment or amount which is excluded from the computation of a person’s earnings under regulation 19 or 19B of the Social Security (Contributions) Regulations 1979.”.

(4) Paragraphs (2A), (4) and (5) shall be omitted.

(4) S.I.1979/591. Regulation 19 has been amended: relevant amending instruments are S.I. 1983/395, 1984/77, 1987/413, 1987/1590, 1988/860, 1988/992 and 1991/2505. Regulation 19B was added by S.I. 1987/2111 and amended by S.I. 1991/640.