

1971. No. 188

[C]

## SUPPLEMENTARY BENEFITS

## Determination of Requirements

REGULATIONS\*, DATED 28TH JUNE 1971, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES, WITH THE CONSENT OF THE MINISTRY OF FINANCE, UNDER THE SUPPLEMENTARY BENEFITS & C. ACT (NORTHERN IRELAND) 1966.

The Ministry of Health and Social Services, with the consent of the Ministry of Finance, in exercise of powers conferred by section 4 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 may be cited as the Supplementary Benefit (Determination of Requirements) Regulations (Northern Ireland) 1971 and shall come into operation in the case of regulation 2 on 20th September 1971 and in the case of regulation 3 on 6th December 1971.

*Amendment of provisions for calculating requirements*

2.—(1) Schedule 2 to the Supplementary Benefits & c. Act (Northern Ireland) 1966 shall be varied in accordance with the following provisions.

(2) For paragraph 9 (normal requirements) and paragraph 10 (blind persons' requirements), as varied(b), there shall be substituted the following paragraphs:

"9. Requirements of persons other than blind persons—	£
(a) husband and wife or other persons falling within paragraph 3(1)	9·45
(b) person living alone or householder not falling within subparagraph (a) who is directly responsible for household necessities and rent (if any)	5·80
(c) any other person aged—	
(i) not less than 21 years	4·60
(ii) less than 21 but not less than 18 years	4·05
(iii) less than 18 but not less than 16 years	3·60
(iv) less than 16 but not less than 13 years	3·00
(v) less than 13 but not less than 11 years	2·45
(vi) less than 11 but not less than 5 years	2·00
(vii) less than 5 years	1·70

(a) 1966. c. 28 (N.I.).

(b) S.R. & O. (N.I.) 1970, Nos. 155 and 327.

\*These Regulations were approved by a resolution of each House of Parliament on 12th October 1971.

## 10. Requirements of persons who are or include blind persons—

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- (a) husband and wife or other persons falling within paragraph 3(1)—
- |                                      |       |
|--------------------------------------|-------|
| (i) if one of them blind . . . . .   | 10.70 |
| (ii) if both of them blind . . . . . | 11.50 |
- (b) any other blind person aged—
- |   |       |
|---|-------|
| (i) not less than 21 years . . . . .                    | 7.05  |
| (ii) less than 21 but not less than 18 years . . . . .  | 5.05  |
| (iii) less than 18 but not less than 16 years . . . . . | 4.40  |
| (iv) less than 16 but not less than 13 years . . . . .  | 3.00  |
| (v) less than 13 but not less than 11 years . . . . .   | 2.45  |
| (vi) less than 11 but not less than 5 years . . . . .   | 2.00  |
| (vii) less than 5 years . . . . .                       | 1.70" |

(3) For paragraph 11 (persons in receipt of supplementary pension), as varied(c), there shall be substituted the following paragraph:

"11. Additional requirements of person eligible for supplementary pension—

- (a) where he or a person whose requirements are aggregated with his under paragraph 3 is aged not less than 80 years . £0.75
- (b) in any other case . . . . . £0.50"

(4) In paragraph 13(1)(b) (increase in requirements of non-householders aged 18 or over), as varied(d), for the sum "£0.60" there shall be substituted the sum "£0.65".

*Additional provisions for calculating requirements*

3.—(1) Schedule 2 to the Supplementary Benefits &c. Act (Northern Ireland) 1966 shall be varied further in accordance with the following provisions.

(2) Immediately after paragraph 12 there shall be inserted the following paragraph and heading thereto:

*"Attendance requirements*

12A.—(1) The amounts applicable under the preceding paragraphs shall be increased by £4.80 in respect of the attendance requirements of a severely disabled person who either—

- (a) is entitled to attendance allowance in respect of his own disablement at the rate of £4.80 a week, or
- (b) is a child in respect of whose disablement some other person, being the person claiming or in receipt of benefit under this Act or a person whose requirements are aggregated with his under paragraph 3, is entitled to attendance allowance at the rate of £4.80 a week.

(2) In this paragraph—

- (a) "attendance allowance" means an attendance allowance under the National Insurance Act (Northern Ireland) 1966;

(c) S.R. & O. (N.I.) 1968, No. 167, and S.R. & O. (N.I.) 1970, No. 327.

(d) S.R. & O. (N.I.) 1970, Nos. 155 and 327.

(b) "attendance requirements" in relation to a disabled person means that person's requirements, by reason of the severity of his physical or mental disablement, for such attention or supervision from another person as is referred to in section 4(2) of the National Insurance (Old Persons' and Widows' Pensions and Attendance Allowance) Act (Northern Ireland) 1970 or, in relation to a disabled child, the said section 4(2) as modified by regulations made under section 4(5) of that Act.

(3) For the purposes of this paragraph the provisions of regulations under the National Insurance Act (Northern Ireland) 1966 relating to overlapping benefits shall not be treated as affecting the rate of attendance allowance to which a person is entitled."

(3) In paragraph 14(1) (trade disputes), for the reference to paragraph 13 there shall be substituted a reference to paragraphs 12A and 13.

(4) In paragraph 17 (persons paying for board and lodging), for the reference to paragraphs 9 to 12 there shall be substituted a reference to paragraphs 9 to 12A.

Sealed with the Official Seal of the Ministry of Health and Social Services for Northern Ireland this 28th day of June 1971.

(L.S.)

C. G. Oakes,  
Assistant Secretary.

The Ministry of Finance hereby consents to these regulations.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 28th day of June 1971.

(L.S.)

C. F. Darling,  
Assistant Secretary.

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#### EXPLANATORY NOTE

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

These regulations provide for increases in the weekly sums allowed in calculating requirements for the purpose of determining entitlement to, and the amount of, supplementary pension or allowance. They increase the weekly sum allowed for a married couple from £8.50 to £9.45 and for a single householder from £5.20 to £5.80. Appropriate increases are made for other classes of claimant. The regulations also provide that the weekly sums allowed shall be further increased by, in the case of a person aged 80 years or more, 25p and, in the case of a person entitled to attendance allowance under the National Insurance Acts, £4.80 (thereby ensuring that such a person receives the full benefit of the attendance allowance).

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This Order has been exempted from printing by the Statutory Rules Act (Northern Ireland) 1958. A summary is given in the List of Statutory Rules and Orders of a Local Character under the heading ROADS.