
S T A T U T O R Y I N S T R U M E N T S

1981 No. 1197

SOCIAL SECURITY

The Supplementary Benefit (Requirements and Conditions of Entitlement) Amendment Regulations 1981

Laid before Parliament in draft

Made - - - - - 12th August 1981
Coming into Operation - - - 23rd November 1981

Whereas a draft of the following regulations was, in accordance with section 33(3) of the Supplementary Benefits Act 1976 (a), laid before Parliament and approved by resolution of each House of Parliament:

Now, therefore, the Secretary of State for Social Services, with the consent of the Treasury, in exercise of the powers conferred upon him by section 5 of, and paragraph 2(3) of Schedule 1 to, the Supplementary Benefits Act 1976, and of all other powers enabling him in that behalf, without having referred any proposals on the matter to the Social Security Advisory Committee since it appears to him that by reason of urgency it is inexpedient to do so (b), hereby makes the following regulations:—

Citation and commencement

1. These regulations may be cited as the Supplementary Benefit (Requirements and Conditions of Entitlement) Amendment Regulations 1981 and shall come into operation on 23rd November 1981.

Amendment of the Supplementary Benefit (Requirements) Regulations 1980

2.—(1) Regulation 7 of the Supplementary Benefit (Requirements) Regulations 1980 (c) (long term rates for normal requirements) shall be amended in accordance with the following provisions of this regulation.

(2) After sub-paragraph (a) of paragraph (2) there shall be inserted the following sub-paragraph:—

“(aa) in the case of a person aged not less than 60 who is not registered with the Manpower Services Commission, any period during which, while aged not less than 59, he was in receipt of an allowance subject to registration;”.

(a) 1976 c.71; the Act (other than sections 31, 32, 35, and 36 and Schedules 4 and 6 to 8) is set out in Part II of Schedule 2 to the Social Security Act 1980 (c.30).

(b) See Social Security Act 1980, section 10(2) (a).

(c) S.I. 1980/1299, to which there are amendments not relevant to these Regulations.

(3) For head (ii) of sub-paragraph (c) of paragraph (2) there shall be substituted:—

“(ii) to which any of sub-paragraphs (a), (aa) and (b) apply.”.

Amendment of the Supplementary Benefit (Conditions of Entitlement) Regulations 1980

3. In regulation 6 of the Supplementary Benefit (Conditions of Entitlement) Regulations 1980 (a) (persons not subject to condition of registration and availability for employment) after paragraph (p) there shall be inserted the following paragraph:—

“(q) he is a person aged not less than 60 who is not registered with the Manpower Services Commission and who, if not required to register and to be available for employment under section 5, would satisfy the conditions of regulation 7(1) of the Supplementary Benefit (Requirements) Regulations 1980 (conditions for long term rates for normal requirements of persons under pensionable age).”.

Patrick Jenkin,
Secretary of State for Social Services.

4th August 1981.

We consent.

Geoffrey Howe,
Carol Mather,
Two of the Lords Commissioners of
Her Majesty's Treasury.

12th August 1981

(a) S.I. 1980/1586; the relevant amending instrument is S.I. 1981/815.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations further amend the Supplementary Benefit (Requirements) Regulations 1980 ("the Requirements Regulations") and the Supplementary Benefit (Conditions of Entitlement) Regulations 1980 ("the Conditions of Entitlement Regulations").

Regulation 1 relates to the citation and commencement of the Regulations. Regulations 2 and 3 make related amendments to regulation 7 of the Requirements Regulations and regulation 6 of the Conditions of Entitlement Regulations respectively whereby in the case of a person claiming a supplementary allowance who is aged not less than 60 and who chooses not to register with the Manpower Services Commission (1) any period during which, while aged not less than 59, he was in receipt of a supplementary allowance, but subject to the condition for registration and availability for employment under section 5 of the Supplementary Benefits Act 1976, counts towards the 52 weeks qualifying period for the long term rates for normal requirements for persons under pensionable age (regulation 2); and (2) on completion of this period the condition of registration and availability does not apply (regulation 3).

These Regulations will be referred to the Social Security Advisory Committee under subsection (7) of section 10 of the Social Security Act 1980 unless the Committee agree that that subsection shall not apply.

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