STATUTORY INSTRUMENTS

1974 No. 59

SOCIAL SECURITY

The Family Income Supplements (Emergency Provisions) Regulations 1974

Made - - -	14*th January* 1974
Laid before Parliament	16*th January* 1974
Coming into Operation	21*st January* 1974

The Secretary of State for Social Services, in exercise of powers conferred by sections 4(2), 6(3) (as substituted by section 3 of the Pensioners and Family Income Supplement Payments Act 1972(**a**)) and 10(2) of the Family Income Supplements Act 1970(**b**), and of all other powers enabling him in that behalf, hereby makes the following regulations: —

Citation, interpretation and commencement

1. These regulations, which may be cited as the Family Income Supplements (Emergency Provisions) Regulations 1974, shall be read as one with the Family Income Supplements (General) Regulations 1971 (**c**), as amended (**d**) (hereinafter referred to as "the principal regulations"), and shall come into operation on 21st January 1974.

Emergency provisions

2.—(1) Where a claim for benefit is made, or under regulation 2(1A) of the Family Income Supplements (Claims and Payments) Regulations 1971(**e**), as amended (**f**), is treated as made, during the emergency period as defined in paragraph (6) of this regulation, the provisions of the Act and the principal regulations shall apply subject to the provisions of paragraphs (2)–(5) of this regulation.

(2) Where for any period (falling within the emergency period) a person is working short-time in a gainful occupation due to restrictions imposed upon the use of electricity and in calculating or estimating for the purposes of the Act his normal gross income and the weekly amount thereof regard falls to be taken of his earnings from that occupation, the Commission or the Appeal Tribunal in so calculating or estimating shall disregard the fact that he is working short-time due to such restrictions and shall have regard to what he would have been likely to have been earning in that occupation but for such restrictions.

(3) Notwithstanding the provisions of regulation 5 of the principal regulations (circumstances in which a person is to be treated as being or as not

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(**a**) 1972 c. 75. (**b**) 1970 c. 55. (**c**) S.I.1971/226 (1971 I, p. 662).
(**d**) S.I.1972/14, 1282 (1972 I, p. 29; II, p. 3857).
(**e**) S.I.1971/227 (1971 I, p. 668). (**f**) S.I.1972/1282 (1972 II, p. 3857).

being engaged and normally engaged in remunerative full-time work), a person shall be treated as engaged and normally engaged in remunerative full-time work if he would and would normally be engaged in remunerative work for not less than 30 hours a week but for the fact that he is working short-time due to restrictions imposed upon the use of electricity.

(4) In calculating or estimating a person's gross income and the weekly amount thereof, there shall be disregarded the whole of any sums by way of unemployment benefit under the National Insurance Acts 1965 to 1973 which would not be or have been payable but for that person's working short-time due to restrictions imposed upon the use of electricity.

(5) In a case where paragraph (2) or (3) of this regulation applies, the Commission or the Appeal Tribunal may certify their opinion that in the circumstances of that case it would be reasonable that benefit should be payable for a specified number of weeks being not more than 52 nor less than 4 weeks, and if they so certify benefit shall be payable for the number of weeks so specified.

(6) The emergency period means the period beginning with 21st January 1974 and ending 21 days after the day on which the Electricity (Industrial and Commercial Use) (Control) (No. 2) Order 1973 **(a)** ceases to be in force.

Period for which these Regulations have effect

3. These regulations shall cease to have effect at the end of the emergency period as defined in regulation 2(6) above, but without prejudice to anything duly done or suffered, or to any right, privilege, obligation or liability acquired, accrued or incurred, thereunder.

Keith Joseph,

Secretary of State for Social Services.

14th January 1974.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations modify the provisions of the Family Income Supplements Act 1970 and the Family Income Supplements (General) Regulations 1971 in the case of persons who claim family income supplement during the emergency period (ie the period beginning with the 21st January 1974 and ending 21 days after the day on which the Electricity (Industrial and Commercial Use) (Control) (No. 2) Order 1973 ceases to be in force) and who during that period are working short-time due to restrictions imposed upon the use of electricity.

(a) S.I. 1973/2172 (1973 III, p. 7617).

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