STATUTORY INSTRUMENTS

1975 No. 1107

SOCIAL SECURITY

The Social Security Benefits Up-rating Regulations 1975

Made - - - -	*7th July* 1975
Laid before Parliament	*15th July* 1975
Coming into Operation	*17th November* 1975

The Secretary of State for Social Services, in exercise of the powers conferred upon her by sections 33, 126(6) and 131 of and paragraph 2(1) of Schedule 14 to the Social Security Act 1975**(a)** and of all other powers enabling her in that behalf, by this instrument, which contains only provisions in consequence of the Social Security Benefits Up-rating Order 1975**(b)**, makes the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Social Security Benefits Up-rating Regulations 1975 and shall come into operation on 17th November 1975.

(2) In these regulations, unless the context otherwise requires—

"the Act" means the Social Security Act 1975;

"the up-rating order" means the Social Security Benefits Up-rating Order 1975;

and other expressions have the same meanings as in the Act.

(3) Any reference in these regulations to any provision made by or contained in any enactment or instrument shall, except in so far as the context otherwise requires, be construed as a reference to that provision as amended or extended by any enactment or instrument and as including a reference to any provision which may re-enact or replace it with or without modification.

(4) The rules for the construction of Acts of Parliament contained in the Interpretation Act 1889**(c)** shall apply for the purposes of the interpretation of these regulations as they apply for the purposes of the interpretation of an Act of Parliament.

Increase in rates of short-term benefit payable under regulations

2. Subject to the provisions of regulation 3 of these regulations, as from 17th November 1975 as respects maternity allowance and as from 20th November 1975 as respects unemployment and sickness benefit, there shall be substituted for the Table in Schedule 2 to the Social Security (Short-Term Benefits) (Transitional) Regulations 1974**(d)**, as amended **(e)**, the Table in the Schedule to these regulations.

(a) 1975 c. 14.
(b) S.I. 1975/1096 (1975 II, p. 3845).
(c) 1889 c. 63.
(d) S.I. 1974/2192 (1974 III, p. 8604).
(e) The relevant amending instrument is S.I. 1975/566 (1975 I, p. 2082).

Conditions relating to payment of additional benefit under awards made before the appointed or prescribed day

3. Where an award of any benefit under Chapters I to III of Part II of the Act has been made before the day appointed or prescribed for the payment of the benefit in question at the rate provided in or by virtue of the up-rating order or of these regulations (hereafter in this regulation referred to as "the increased rate"), paragraphs 1 and 2 of Schedule 14 to the Act (effect of any such award) shall, unless the period to which the award relates has ended before that day or the award, in accordance with the provisions of sub-paragraph (2) of the said paragraph 2, provides for the payment of the benefit at the increased rate as from that day, have effect subject to the condition that if a question arises as to—

(*a*) the weekly rate at which the benefit is payable by virtue of the up-rating order or of these regulations; or

(*b*) whether the conditions for the receipt of the benefit at the increased rate are satisfied,

the benefit shall be or continue to be payable at the weekly rate specified in the award until that question shall have been determined in accordance with the provisions of the Act.

Persons not ordinarily resident in Great Britain

4. Regulation 5 of the Social Security Benefit (Persons Abroad) Regulations 1975(a) (application of disqualification in respect of up-rating of benefit) shall apply to any additional benefit payable by virtue of the up-rating order.

Barbara Castle,
Secretary of State for Social Services.

7th July 1975.

(a) S.I. 1975/563 (1975 I, p. 2052).

Regulation 2

SCHEDULE

Reduced Rates of Benefit and of Increase of Benefit for Adult Dependant

1	2	3	4
Number of contributions paid or credited in the relevant contribution year or as the case may be relevant contribution period	Full weekly rates		
	Unemployment or sickness benefit at higher rate or maternity allowance	Unemployment or sickness benefit at lower rate	Increase for adult dependant
	£ 11·10	£ 7·80	£ 6·90
	Reduced weekly rates		
48–49	10·65	7·69	6·64
46–47	10·20	7·45	6·40
43–45	9·75	7·00	6·10
40–42	8·95	6·55	5·66
37–39	8·10	5·89	5·24
34–36	7·27	5·27	4·67
30–33	6·42	4·68	4·07
26–29	5·55	3·90	3·45

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations are made in consequence of the Social Security Benefits Up-rating Order 1975. Accordingly they are, by virtue of paragraph 17 of Schedule 15 to the Social Security Act 1975, exempt from reference to the National Insurance Advisory Committee and they have not been so referred.

Regulation 1 relates to the citation, commencement and interpretation of the Regulations; regulation 2 increases the modified rates of unemployment benefit, sickness benefit and maternity allowance payable under the Social Security (Short-Term Benefits) (Transitional) Regulations 1974 in order to bring them into line with the increased rates for those benefits payable by virtue of the Up-rating Order; regulation 3 specifies the circumstances in which the amount of benefit, awarded before the date from which increased rates become payable, is not automatically altered; and regulation 4 applies the provisions of regulation 5 of the Social Security Benefit (Persons Abroad) Regulations 1975 (position of persons who are absent from and not ordinarily resident in Great Britain when the weekly rates of certain benefits are increased) to the increases of benefit provided by virtue of the Up-rating Order.

SI 1975/1107
ISBN 0-11-051107-7

