


# Supplementary Benefit (Amendment) Act 1976

## 1976 CHAPTER 56

An Act to amend paragraph 23 of Schedule 2 to the Supplementary Benefit Act 1966 as respects the earnings of the parent in a one-parent family, and paragraph 24 of that Schedule as respects certain social security and other allowances for children. [15th November 1976]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Earnings and other income disregarded. 1966 c. 20.

**1.**—(1) In Schedule 2 to the Supplementary Benefit Act 1966 (" the 1966 Act "), paragraph 23 (earnings to be disregarded in calculating resources as compared with requirements) is amended as follows—

(*a*) in sub-paragraph (1) for " sub-paragraphs (1A) and (2) of this paragraph " substitute " the following sub-paragraphs ";

(*b*) re-number sub-paragraph (1A) as (1B) and before it insert—

" (1A) Where that person is the parent in a one-parent family, that is to say—

(*a*) he has to provide for the requirements of another person, being a member of the same household and either a child or disentitled under section 9 of this Act (persons completing secondary education);

(*b*) that other's requirements and resources are aggregated with his under paragraph 3 of this Schedule; and

(*c*) the household does not include a person to whom he is married, and there is no one with whom he is cohabiting as man and wife,

his weekly earnings shall be taken to be his net weekly earnings reduced by £6.".

(2) In paragraph 24 of that Schedule (certain other income to be disregarded as resources), the words " (in the case only of persons having preserved 1976 rights) " are inserted in the following places—

(*a*) in sub-paragraph (3), after the word " except "; and

(*b*) in each of sub-paragraphs (4) and (5), at the beginning of each of paragraphs (*b*) and (*c*).

(3) The above subsections have effect from 15th November 1976.

(4) The Schedule to this Act explains who, for the purposes of paragraph 24 of Schedule 2 to the 1966 Act (as amended), are persons having preserved 1976 rights.

(5) There shall be paid out of money provided by Parliament any increase attributable to this Act in the sums to be so paid under any enactment.

Citation and extent.

**2.**—(1) This Act may be cited as the Supplementary Benefit (Amendment) Act 1976; and the Supplementary Benefit Acts 1966 to 1975 and this Act may be cited together as the Supplementary Benefit Acts 1966 to 1976.

(2) This Act does not extend to Northern Ireland.

Section 1(4).

# SCHEDULE

## SAVING FOR 38p AND 28p DISREGARDS, WHERE AVAILABLE BEFORE THIS ACT

1. In the following paragraphs of this Schedule—

(*a*) " the commencement date " means 15th November 1976;

(*b*) " paragraph 24 " means paragraph 24 of Schedule 2 to the 1966 Act;

(*c*) " supplementary benefit " means benefit under that Act; and

(*d*) " the benefits formerly subject to disregard " means the allowances and increased allowances referred to in sub-paragraphs (3)(*a*), (*b*), (4)(*b*), (*c*) and (5)(*b*), (*c*) of paragraph 24.

2. For the purposes of paragraph 24, a person has preserved 1976 rights if—

(*a*) at any time before the commencement date he was entitled simultaneously both to any one or more of the benefits formerly subject to disregard and also to supplementary benefit, and

(*b*) he has since that time continued so entitled, without interruption for any period longer than 13 weeks.

3. For the purposes of paragraph 2(*b*) above, the question whether the person was entitled to supplementary benefit at any time is determined on the assumption that he then had preserved 1976 rights.

4. In reckoning any period for the purposes of paragraph 2(*b*), no account is to be taken of periods during which the person was an in-patient in a hospital.