STATUTORY INSTRUMENTS

1972 No. 1145

SOCIAL SECURITY

The Supplementary Benefit (Determination of Requirements) Regulations 1972

Laid before Parliament in draft

Made - - -	28*th July* 1972
Coming into Operation—	
Regulations 1, 2(1), (2), (3)(i), (4), 3	2*nd October* 1972
Regulation 2(3)(ii)	4*th June* 1973

Whereas a draft of the following regulations was 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 by section 5 of the Ministry of Social Security Act 1966(**a**), and of all other powers enabling him in that behalf, hereby makes the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Supplementary Benefit (Determination of Requirements) Regulations 1972 and shall come into operation except regulation 2(3)(ii) on 2nd October 1972, and in the case of regulation 2(3)(ii) on 4th June 1973.

(2) In these regulations, unless the context otherwise requires, "the Act" means the Ministry of Social Security Act 1966 and other expressions have the same meaning as in the Act.

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

Amendment of provisions for calculating requirements

2.—(1) Part II (calculation of requirements) of Schedule 2 to the Act (provisions for determining right to and amount of benefit) shall be varied in accordance with the following provisions of this regulation.

(**a**) 1966 c. 20. (**b**) 1889 c. 63.

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

"Normal requirements

	£
9. Requirements of persons other than blind persons—	
(*a*) husband and wife or other persons falling within paragraph 3(1) of this Schedule	10·65
(*b*) person living alone or householder not falling within sub-paragraph (*a*) of this paragraph who is directly responsible for household necessities and rent (if any) ...	6·55
(*c*) any other person aged—	
(i) not less than 18 years	5·20
(ii) less than 18 but not less than 16 years	4·05
(iii) less than 16 but not less than 13 years	3·40
(iv) less than 13 but not less than 11 years	2·75
(v) less than 11 but not less than 5 years	2·25
(vi) less than 5 years	1·90

Blind Persons

	£
10. Requirements of persons who are or include blind persons—	
(*a*) husband and wife or other persons falling within paragraph 3(1) of this Schedule—	
(i) if one of them is blind	11·90
(ii) if both of them are blind	12·70
(*b*) any other blind person aged—	
(i) not less than 18 years	7·80
(ii) less than 18 but not less than 16 years	4·95
(iii) less than 16 but not less than 13 years	3·40
(iv) less than 13 but not less than 11 years	2·75
(v) less than 11 but not less than 5 years	2·25
(vi) less than 5 years	1·90"

(3) In paragraph 12A (attendance requirements)(**b**)—

(i) for the references in sub-paragraph (1) to £4·80 there shall be substituted references to £5·40.

(ii) at the end of the paragraph there shall be added the following sub-paragraph:

"(4) Where in respect of a severely disabled person (other than one to whom sub-paragraph (1) applies) there is entitlement to attendance allowance at the rate of £3·60 a week sub-paragraph (1) shall have effect as if for the references to £5·40 there were substituted references to £3·60 and for the reference to attendance requirements there were substituted a reference to such person's requirements for attendance by virtue of which that entitlement arises."

(**a**) The relevant amending instrument is S.I. 1971/1054 (1971 II, p. 3141).
(**b**) Inserted by S.I. 1971/1054 (1971 II, p. 3141).

(4) For paragraph 13(1)(*b*) (increase on account of rent of the amount specified for requirements where the beneficiary is a non-householder aged 18 years or over), as varied (**a**), there shall be substituted the following—

"(*b*) in any other case by £0·70."

Additional provisions relating to persons in receipt of long-term addition to supplementary benefit

3.—(1) The said Part II of Schedule 2 to the Act shall be further varied in accordance with the following provisions of this regulation.

(2) Immediately after paragraph 12A there shall be inserted the following paragraph—

"*Persons in receipt of long-term addition to supplementary benefit*

12B. The amounts applicable under the preceding paragraphs shall be increased by £0·10 in the case of a person whose requirements include an amount specified in either paragraph 11 or paragraph 12 of this Schedule."

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

Keith Joseph,
Secretary of State for Social Services.

26th July 1972.

We consent.

Tim Fortescue,
Hugh Rossi,
Two of the Lords Commissioners of Her Majesty's Treasury.

28th July 1972.

(**a**) The relevant amending instrument is S.I. 1971/1054 (1971 II, p. 3141).

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations vary the provisions of Part II (calculation of requirements) of Schedule 2 (determination of right to and amount of benefit) to the Ministry of Social Security Act 1966.

Regulation 1 is formal. Regulation 2 increases certain weekly amounts allowed for requirements; paragraph (2) relates to normal and blind persons' requirements; paragraph (3)(i) increases the present weekly amount for attendance requirements and paragraph (3)(ii) provides for an increase of amounts applicable in other cases of severe disablement where the person has title (or underlying title) to attendance allowance at a lower rate; paragraph (4) increases the rent addition for non-householders under paragraph 13(1)(*b*) of the Schedule and removes the present age qualification. Regulation 3 provides for an increase of amounts applicable where a person's requirements include an amount specified in paragraph 11 or paragraph 12 of the Schedule (long-term addition to supplementary benefit). The Regulations have effect from 2nd October 1972 except regulation 2(3)(ii) which comes into operation on 4th June 1973.

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