STATUTORY INSTRUMENTS

1971 No. 1549

SOCIAL SECURITY

The Supplementary Benefit (General) Amendment Regulations 1971

Made - - - 22*nd September* 1971

Laid before Parliament 30*th September* 1971

Coming into Operation 5*th November* 1971

The Secretary of State for Social Services, in exercise of his powers under section 17(1) 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. These regulations, which may be cited as the Supplementary Benefit (General) Amendment Regulations 1971, shall be read as one with the Supplementary Benefit (General) Regulations 1966(**b**) as amended (**c**) (hereinafter referred to as "the principal regulations") and shall come into operation on 5th November 1971.

New regulation to be inserted in the principal regulations

2. After regulation 5 of the principal regulations there shall be inserted the following regulation:—

"*Review of determinations imposing misconduct reduction*

5A. Where under paragraph 10A of Schedule 2 to the Act (persons disqualified for unemployment benefit) the amount applicable to a person's requirements under paragraph 9 or 10 of that Schedule has been reduced for any period and on final determination of the question of his right to unemployment benefit under the National Insurance Act 1965(**d**), or of a question under section 67(1)(*b*) of that Act whether a person would have been disqualified if otherwise entitled to unemployment benefit, if—

(*a*) disqualification under section 22(2) of the National Insurance Act 1965 (disqualification by reference to conduct resulting in unemployment or conducing to its continuance) is not imposed or would not have been imposed; or

(*b*) the period of such disqualification or notional disqualification is shorter than the period of reduction under the said paragraph 10A;

the supplementary allowance determination imposing the reduction may be reviewed by the Commission."

(**a**) 1966 c. 20.
(**b**) S.I. 1966/1065 (1966 II, p. 2614).
(**c**) There is no amendment which relates expressly to the subject matter of these Regulations.
(**d**) 1965 c. 51.

Amendment to regulation 6 of the principal regulations

3. In sub-paragraphs (1)(*b*) and (1)(*c*) of regulation 6 (notice of decisions) of the principal regulations, for the words "the preceding regulation" there shall be substituted in each case the words "regulation 5 or 5A".

Signed by authority of the Secretary of State for Social Services.

Paul Dean,
Parliamentary Under Secretary of State,
Department of Health and Social Security.

22nd September 1971.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

Section 1(2) of the Social Security Act 1971 (c.73) amends Part II (requirements) of Schedule 2 to the Ministry of Social Security Act 1966 so as to require a 40 per cent reduction to be made for supplementary benefit purposes in cases where a person is or might have been disqualified, on account of industrial misconduct and the like, from receiving unemployment benefit. These regulations, which amend the Supplementary Benefit (General) Regulations 1966, provide for the reviewing of supplementary benefit determinations where inconsistent with determinations as to disqualification made under the National Insurance Act 1965.