1966 No. 1065

SOCIAL SECURITY

The Supplementary Benefit (General) Regulations 1966

Made - - - -	12*th August* 1966
Laid before Parliament	24*th August* 1966
Coming into Operation	25*th August* 1966

The Minister of Social Security, in exercise of the powers conferred by sections 8(2), 11 and 17(1) of, and paragraph 7 of Schedule 2 to, the Ministry of Social Security Act 1966(a), and all other powers enabling her in that behalf, hereby makes the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Supplementary Benefit (General) Regulations 1966 and shall come into operation on 25th August 1966.

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

" the Act " means the Ministry of Social Security Act 1966(a);

" Appeal Tribunal " means a tribunal under the Act;

" the Commission " means the Supplementary Benefits Commission;

" the Minister " means the Minister of Social Security;

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

(3) References in these regulations to any enactment or regulations shall, unless the context otherwise requires, include references to such enactment or regulations, as amended by any subsequent enactment, order or regulations, and to any enactments, orders or regulations which replace them by provisions which deal with the same subject matter and are (so far as material) to the like effect.

(4) Any notice or other document required or authorised to be given or sent to any person under the provisions of these regulations shall be deemed to have been given or sent if it was sent by post to that person at his ordinary or last known address.

(5) 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.

Persons in full-time employment

2. Section 8(1) of the Act (exclusion of persons in full-time employment) shall not apply to a person becoming engaged in remunerative full-time

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

work until the expiration of a period of 15 days from the beginning of the engagement.

Registration for employment

3.—(1) Where the Commission determines under Section 11 of the Act that the right of any person to a supplementary allowance shall be subject to the condition that he is registered for employment he shall be so registered in the following manner:—

(*a*) by registering in accordance with regulations having effect for the purposes of the Employment and Training Act 1948(**a**);

(*b*) by attending at the employment exchange at which he is registered for employment, or such other exchange as may be approved in his case, on such occasions as he would be required to attend if he were claiming unemployment benefit under the National Insurance Acts 1965(**b**) and 1966(**c**) and there signing a register kept for the purpose.

(2) For the purpose of this regulation, "employment exchange" includes any office or place appointed by the Minister for the purpose of claiming unemployment benefit under the National Insurance Acts 1965(**b**) and 1966(**c**).

Computation of net weekly earnings

4.—(1) For the purposes of Schedule 2 to the Act a person's net weekly earnings shall be the net remuneration or profit, calculated on a weekly basis, derived by him from any occupation or occupations and, in particular, in so far as the earnings consist of salary or wages, there shall be deducted—

(*a*) any sum the deduction of which from salary or wages is authorized by statute; and

(*b*) any expenses reasonably incurred by him in connexion with his employment.

(2) Where the earnings of a person for any week are not immediately ascertainable, the preceding provisions of this regulation shall not apply and the net weekly earnings for that week shall be calculated or estimated in such manner and on such basis as the Commission consider appropriate, having regard to all the circumstances of the case.

Review of determinations made by the Commission or an Appeal Tribunal

5.—(1) A determination made by the Commission or by an Appeal Tribunal on the right to or amount of supplementary pension or allowance in respect of any week may be reviewed by the Commission if—

(*a*) the Commission are satisfied that the determination was made in ignorance of, or was based on a mistake as to, some material fact; or

(*b*) there has been any relevant change of circumstances since the determination was made and—

(i) the Minister has been notified within a period of 26 weeks from that week of such change of circumstances and the determination on review would result in an increase of more than 2s. in the amount of pension or allowance payable; or

(ii) the determination on review would result in a decrease of more than 2s. in that amount; or

(iii) the determination was made before 28th November 1966 and the change of circumstances occurred before that date.

(**a**) 1948 c. 46. (**b**) 1965 c. 51. (**c**) 1966 c. 6.

(2) A determination made by the Commission or by an Appeal Tribunal on any of the following matters—

(*a*) the issue of benefit to a person other than the claimant;

(*b*) the imposition of a condition under section 11 of the Act;

(*c*) the provision of goods or services instead of the whole or part of any payment;

may be reviewed by the Commission in respect of such period as the Commission may determine having regard to the circumstances of the case if—

(i) there has been any relevant change of circumstances since the original determination was made; or

(ii) the Commission are satisfied that the determination was made in ignorance of, or was based on a mistake as to, some material fact.

(3) A determination made by the Commission or by an Appeal Tribunal on either of the following matters—

(*a*) the recovery of the whole or part of any sums paid by virtue of section 13 of the Act;

(*b*) the amount of any excess mentioned in section 16 of the Act;

may be reviewed by the Commission if the Commission are satisfied that the determination was made in ignorance of, or was based on a mistake as to, some material fact.

(4) Any determination made by the Commission on a matter specified in the preceding paragraphs of this regulation may be reviewed by them if they are satisfied that it was based on a mistake as to the law.

Notice of decisions

6.—(1) This regulation applies to the following decisions of the Commission:—

(*a*) a determination made by the Commission on any claim;

(*b*) a determination made by the Commission on a review under the preceding regulation;

(*c*) a refusal by the Commission to review a determination under the preceding regulation.

(2) Subject to the following provisions of this regulation, notice of any decision to which this regulation applies shall be given or sent to the claimant in writing.

(3) Where the determination concerned relates to the making of or refusal to make a cash payment in respect of benefit other than supplementary pension, the notice required by the preceding paragraph may be given to the claimant orally unless he requests that it be in writing.

(4) Where the Commission determine that the claimant is entitled to benefit of an amount which, when added to some other payment, if any, payable by the Minister, will amount to a stated sum, notice of that sum shall be notice for the purposes of this regulation.

Margaret Herbison,
Minister of Social Security.

12th August 1966.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations make general provisions for the purposes of the Ministry of Social Security Act 1966. They provide that the period for which a person is not to be excluded from benefit under the Act after he has commenced full-time remunerative employment is to be 15 days (regulation 2); the manner in which a person required to register for employment at an Employment Exchange as a condition for the award of benefit is to do so (regulation 3); the method of calculation of a person's net weekly earnings (regulation 4); the circumstances in which determinations under the Act may be reviewed (regulation 5); and the manner in which decisions of the Commission shall be notified (regulation 6).