STATUTORY INSTRUMENTS

1983 No. 700

SOCIAL SECURITY

The Supplementary Benefit (Requirements) (Long-term Rates) Amendment Regulations 1983

Laid before Parliament in draft

Made - - -	10*th May* 1983
Coming into Operation	30*th May* 1983

Whereas a draft of the following regulations was laid before Parliament and approved by a 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 upon him by paragraph 2(3) of Schedule 1 to the Supplementary Benefits Act 1976(**a**) and of all other powers enabling him in that behalf, and after agreement by the Social Security Advisory Committee that proposals to make these regulations should not be referred to it(**b**), hereby makes the following regulations:—

Citation and commencement

1. These regulations may be cited as the Supplementary Benefit (Requirements) (Long-term Rates) Amendment Regulations 1983 and shall come into operation on 30th May 1983.

Amendment of the Supplementary Benefit (Requirements) Regulations 1980

2.—(1) Regulation 7 of the Supplementary Benefit (Requirements) Regulations 1980(**c**) (long-term rates for normal requirements) shall be amended in accordance with the following provisions of this regulation.

(2) In sub-paragraph (*b*) of paragraph (1) of that regulation there shall be substituted for the words from "subject", where it first occurs, to "has" the words "if he is a person aged less than 60, has, subject to paragraphs (2) to (4),".

(**a**) 1976 c.71; Schedule 1 was substituted by paragraph 30 of Schedule 2 to the Social Security Act 1980 (c.30).

(**b**) *See* Social Security Act 1980, section 10(2)(*b*).

(**c**) S.I. 1980/1299; relevant amending instruments are S.I. 1981/1197, 1982/1125.

(3) In paragraph (2) of that regulation—

(*a*) sub-paragraph (*aa*) shall be omitted, and

(*b*) in sub-paragraph (*c*)(ii) the words ", (*aa*)" shall be omitted.

(4) In paragraph (3) of that regulation there shall be substituted for the words "who has satisfied the condition of paragraph (1)(*b*)" the words "required to satisfy the condition of paragraph (1)(*b*) who has satisfied it".

(5) In head (ii) of paragraph (4)(*a*) of that regulation there shall be inserted between the words "paragraph (1)(*b*)" and the word "or" the words "or by virtue of being aged not less than 60 was in receipt of an allowance not subject to the condition of availability".

(6) For sub-paragraph (*b*) of paragraph (5) of that regulation there shall be substituted the following sub-paragraph:—

"(*b*) satisfies the conditions of sub-paragraph (*a*) and of sub-paragraph (*b*), in a case where it applies, of paragraph (1) of this regulation,".

Norman Fowler,
Secretary of State for Social Services.

5th May 1983.

We consent,

J. A. Cope,
Donald Thompson,
Two of the Lords Commissioners
of Her Majesty's Treasury.

10th May 1983.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations further amend the Supplementary Benefit (Requirements) Regulations 1980 ("the Requirements Regulations").

Regulation 2 amends regulation 7 of the Requirements Regulations which makes provision as to the conditions which must be satisfied for the long-term rates for normal requirements under the table in paragraph 2(3) of Schedule 1 to the Supplementary Benefits Act 1976 ("the Act") to apply to couples and householders not of pensionable age. The amendments to regulation 7 are designed primarily to remove from men between 60 and pensionable age the requirement that for the long-term rates to apply in their case they should for not less than 52 weeks already have been in receipt of a supplementary allowance (payable under section 1(1)(*b*) of the Act to persons under pensionable age) not subject to the requirement, under section 5 of the Act of being available for employment. In paragraph (1) of regulation 7, as amended by these regulations, the 52 week requirement is restricted to persons under 60. In paragraph (2), sub-paragraph (*aa*), which enabled men of 60 to be treated as meeting the 52 week requirement in certain circumstances, is removed. In paragraphs (3), (4) and (5), which contain provisions linked to the 52 week requirement, consequential amendments are made reflecting the removal of that requirement in the case of men between 60 and pensionable age.

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