1971. No. 299 **[C]**

WELFARE AUTHORITIES

Minimum Weekly Charges for Residential Accommodation

SUPPLEMENTARY BENEFITS

General

REGULATIONS, DATED 16TH SEPTEMBER 1971, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES UNDER THE WELFARE SERVICES ACT (NORTHERN IRELAND) 1971 AND UNDER THE SUPPLEMENTARY BENEFITS &C. ACT (NORTHERN IRELAND) 1966.

The Ministry of Health and Social Services, in exercise of powers conferred by section 4 of the Welfare Services Act (Northern Ireland) 1971(**a**) and by paragraph 15 of Schedule 2 to the Supplementary Benefits &c. Act (Northern Ireland) 1966(**b**), and of all other powers enabling it in that behalf, hereby makes the following regulations being regulations subject to negative resolution in accordance with section 44(2) and section 38(2) respectively of those Acts:

Citation and commencement

1.—(1) These regulations (other than regulation 5) may be cited as the Welfare Authorities (Charges for Residential Accommodation) Regulations (Northern Ireland) 1971.

(2) Regulation 5 shall be read as one with the Supplementary Benefit (General) Regulations (Northern Ireland) 1966(**c**) (hereinafter referred to as "the principal regulations") and may be cited as the Supplementary Benefit (General) Amendment Regulations (Northern Ireland) 1971.

(3) These regulations shall come into operation on 20th September 1971.

Revocation of regulations

2. The Welfare Authorities (Charges for Residential Accommodation) Regulations (Northern Ireland) 1969(**d**) are hereby revoked.

Minimum charges for residential accommodation

3. The minimum charge which a person shall be liable to pay for accommodation provided by or on behalf of a Welfare Authority, for the purposes of section 4(3) of the Welfare Services Act (Northern Ireland) 1971, shall be £4·80 per week.

4. Where accommodation is provided for a child accompanied by a person over the age of 16, the minimum charge which that person shall be liable to pay for the accommodation of that child shall be such one of the following sums as is appropriate:

(*a*) in respect of a child under 5 years of age, the sum of £1·70 per week;

(*b*) in respect of a child aged 5 years or over, but less than 11 years, the sum of £2 per week;

(**a**) 1971. c. 2 (N.I.).
(**b**) 1966. c. 28 (N.I.).
(**c**) S.R. & O. (N.I.) 1966, No. 188.
(**d**) S.R. & O. (N.I.) 1969, No. 252.

(*c*) in respect of a child aged 11 years or over, but less than 13 years, the sum of £2·45 per week;

(*d*) in respect of a child aged 13 years or over, but less than 16 years, the sum of £3 per week.

Amendment of the principal regulations

5. For regulation 6 of the principal regulations (persons in welfare authority homes) there shall be substituted the following regulation:

"**6.**—(1) Subject to the provisions of paragraph (2) from 6th December 1971, for the purpose of calculating the requirements of a person for whom accommodation which includes board and other services is provided under the Welfare Services Act (Northern Ireland) 1971 the sum of £1·20 shall be the prescribed amount by which those requirements are to be taken as exceeding the sums applicable to his case for the time being prescribed under section 4(3) of that Act as the minimum charge for that accommodation.

(2) Where the person referred to in paragraph (1) is someone to whom there is payable attendance allowance under the provisions of section 4(2) of the National Insurance (Old Persons' and Widows' Pensions and Attendance Allowance) Act (Northern Ireland) 1970(**e**) or constant attendance allowance under any Personal Injuries Scheme, Service Pensions Instrument or any 1914-18 War Injuries Scheme, the sum of £1·20 prescribed in paragraph (1) shall be increased by the amount of such allowance.

(3) In this regulation, "Personal Injuries Scheme", "Service Pensions Instrument" and "1914-18 War Injuries Scheme" have the same meanings as in the National Insurance (Overlapping Benefits) Regulations (Northern Ireland) 1961(**f**)."

Sealed with the Official Seal of the Ministry of Health and Social Services for Northern Ireland this 16th day of September 1971.

(L.S.)

C. G. Oakes,
Assistant Secretary.

(e) 1970. c. 28 (N.I.).

(f) S.R. & O. (N.I.) 1961, No. 180.

EXPLANATORY NOTE

(This Note is not part of the regulations, but is intended to indicate their general purport.)

These regulations increase the minimum weekly amount which a person is required to pay for accommodation (in a welfare home) provided by or on behalf of a Welfare Authority from £4 to £4·80. In the case of a person accompanied by a child the weekly amounts payable in respect of the child (which vary according to the child's age) are increased by amounts ranging from £0·30 to £0·80.

The regulations also increase from £1 to £1·20 the weekly sum taken to be the personal requirements of an applicant for supplementary benefit who is residing in such accommodation. If the applicant is one to whom there is payable attendance allowance under the National Insurance Act or constant attendance allowance under any Personal Injuries Scheme, Service Pensions Instrument or any 1914-18 War Injuries Scheme, the weekly sum for personal requirements is further increased by the amount of such allowance.