1976 No. 214

SOCIAL SECURITY

The Social Security Benefits Up-rating Order (Northern Ireland) 1976

Made . . . . . 21*st July* 1976

Coming into operation . . . 15*th November* 1976

The Department of Health and Social Services for Northern Ireland, in conjunction with the Department of Finance for Northern Ireland(a), in exercise of the powers conferred on it by section 120 of the Social Security (Northern Ireland) Act 1975(b), as extended by Article 25 of the Social Security Pensions (Northern Ireland) Order 1975(c), and of all other powers enabling it in that behalf, hereby makes the following order: which order corresponds to the order(d) made by the Secretary of State for Social Services under section 124 of the Social Security Act 1975(e):

Citation, commencement and interpretation

1.—(1) This order may be cited as the Social Security Benefits Up-rating Order (Northern Ireland) 1976 and shall, subject to Articles 2 and 3 below, come into operation on 15th November 1976.

(2) In this order, unless the context otherwise requires, "the Act" means the Social Security (Northern Ireland) Act 1975 and other expressions have the same meanings as in the Act.

(3) The rules for the construction of Acts of Parliament contained in the Interpretation Act 1889(f) shall apply in relation to this order and in relation to the revocation effected by it as if this order and the order so revoked were Acts of Parliament and as if the revocation were a repeal.

Increase in rates or amounts of certain benefits under the Act and the Industrial Injuries and Diseases (Northern Ireland Old Cases) Act 1975

2.—(1) In Schedule 4 to the Act, as amended by the Social Security Benefits Up-rating Order (Northern Ireland) 1975(g), the sums specified in Parts I (contributory periodical benefits), III (non-contributory periodical benefits), IV (increases of benefits for dependants) and V (rate or amount of industrial injuries benefit), except the sums specified in the said Part III for mobility allowance and for age addition, shall be further increased from and including the respective dates specified in Article 3 below; and the said Schedule 4 shall accordingly have effect as set out in the Schedule to this order.

(a) *See* section 155(5) of the Social Security (Northern Ireland) Act 1975
(b) 1975 c. 15
(c) S.I. 1975/1503 (N.I. 15)
(d) S.I. 1976/1029
(e) 1975 c. 14
(f) 1889 c. 63
(g) S.R. 1975 No. 211 (II, p. 1066)

(2) With effect from and including 17th November 1976, for "£8·00" there shall be substituted "£9·20" in section 2(6)(*c*) of the Industrial Injuries and Diseases (Northern Ireland Old Cases) Act 1975(**h**) (maximum weekly rate of lesser incapacity allowance supplementing workmen's compensation), as amended by the Social Security Benefits Up-rating Order (Northern Ireland) 1975.

Dates on which benefits under the Act are increased by this order

3.—(1) Subject to paragraphs (2) to (4) of this Article, the increases of benefit under the Act effected by this order shall take effect in the case of—

(*a*) maternity allowance, widow's and widowed mother's allowance, widow's pension, Category A, B, C and D retirement pension, child's special allowance, attendance allowance, invalid care allowance (except in a case where the Department has made arrangements for it to be paid on a Wednesday), guardian's allowance and industrial death benefit by way of widow's and widower's pension and allowance in respect of children of deceased's family (including where appropriate increases for dependants), on 15th November 1976;

(*b*) invalid care allowance (in a case where the Department has made arrangements for it to be paid on a Wednesday), disablement benefit (including increases of disablement pension), maximum disablement gratuity under section 57(5) of the Act, increase of unemployability supplement under section 59 of the Act and maximum under section 91(1) of the Act of aggregate of weekly benefit payable for successive accidents, on 17th November 1976; and

(*c*) unemployment and sickness benefit, invalidity pension and allowance, non-contributory invalidity pension and injury benefit (including where appropriate increases for dependants), on 18th November 1976.

(2) The rate of a person's unemployment benefit, sickness benefit or invalidity pension by virtue of section 14(6) or section 15(4) of the Act (rate of those benefits for persons over pensionable age who have not retired from regular employment) shall, as respects the period 15th November 1976 to 17th November 1976 (both dates included), be determined as if the increase in the rates of retirement pensions under the Act took effect on 18th November 1976.

(3) In a case where the weekly rate of a Category A or B retirement pension payable to a person falls to be increased under the provisions of section 28(7) or 29(8) or (11) of the Act (increase, in certain cases, of such a pension by reference to previous entitlement to invalidity allowance), the amount of the increase payable to that person shall be determined as if the increase in the rate of invalidity allowance took effect on 15th November 1976.

(4) In the case of a person to whom injury benefit under the Act is payable for 17th November 1976 at a reduced weekly rate by virtue of the provisions of section 91(1) of the Act (aggregate of weekly benefit payable for successive accidents), the rate of that benefit or of any sickness benefit or invalidity pension under the Act shall be determined as if the increase in the rates of those benefits took effect on 17th November 1976 and, where appropriate, as if the reference to 18th November 1976 in paragraph (2) of this Article were a reference to 17th November 1976.

(**h**) 1975 c. 17

Increase of sum specified in Article 8(1)(*a*) *of the Social Security Pensions (Northern Ireland) Order* 1975

4. With effect from 17th November 1976, for "£11·60" there shall be substituted "£15·30" in Article 8(1)(*a*) of the Social Security Pensions (Northern Ireland) Order 1975 (weekly rate of basic component of Category A retirement pension).

Revocation of order

5. The Social Security Benefits Up-rating Order (Northern Ireland) 1975 is hereby revoked.

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 21st July 1976.

(L.S.) *W. J. Sloane*
Assistant Secretary

Sealed with the Official Seal of the Department of Finance for Northern Ireland on 21st July 1976.

(L.S.) *C. F. Darling*
Senior Assistant Secretary

SCHEDULE Article 2(1)

Schedule 4 to the Act as Amended by this Order

SCHEDULE 4

Rates of benefits, grants and increases for dependants

PART I

CONTRIBUTORY PERIODICAL BENEFITS

Description of benefit	*Weekly rate*
1. Unemployment or sickness benefit (section 14).	(*a*) higher rate .. .. £12·90 (*b*) lower rate .. .. .. £ 9·20 (the appropriate rate being determined in accordance with section 14(4)).
2. Invalidity pension (section 15).	£15·30
3. Invalidity allowance (section 16).	(*a*) higher rate .. .. £ 3·20 (*b*) middle rate .. .. £ 2·00 (*c*) lower rate .. .. .. £ 1·00 (the appropriate rate being determined in accordance with section 16(2)).
4. Maternity allowance (section 22).	£12·90
5. Widow's allowance (section 24).	£21·40
6. Widowed mother's allowance (section 25).	£15·30
7. Widow's pension (section 26).	£15·30
8. Category A retirement pension (section 28).	£15·30
9. Category B retirement pension (section 29).	(*a*) lower rate .. .. .. £ 9·20 (*b*) higher rate .. .. £15·30 (the appropriate rate being determined in accordance with section 29(7)).
10. Child's special allowance (section 31).	£ 7·45