1975 No. 211

SOCIAL SECURITY

The Social Security Benefits Up-rating Order (Northern Ireland) 1975

Made . . . . . *28th July* 1975

Coming into operation . . . *17th November* 1975

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), and of all other powers enabling it in that behalf, hereby makes the following order: which order corresponds to the order made by the Secretary of State for Social Services(c) under section 124 of the Social Security Act 1975(d):

Citation, commencement and interpretation

1.—(1) This order may be cited as the Social Security Benefits Up-rating Order (Northern Ireland) 1975 and shall, subject to Articles 2 and 3 below, come into operation on 17th November 1975.

(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(e) shall apply for the purposes of the interpretation of this order as they apply for the purposes of the interpretation of an Act of Parliament.

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, 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 sum specified in the said Part III for age addition, shall be 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.

(2) In the Industrial Injuries and Diseases (Northern Ireland Old Cases) Act 1975(f) the sum of £7 referred to in section 2(6)(*c*) (maximum weekly rate of lesser incapacity allowance supplementing workmen's compensation) shall be increased; and from and including 19th November 1975 the reference in that provision to that sum shall accordingly have effect as a reference to £8·00.

(a) See section 155(5) of the Social Security (Northern Ireland) Act 1975
(b) 1975 c. 15
(c) S.I. 1975/1096
(d) 1975 c. 14
(e) 1889 c. 63
(f) 1975 c. 17

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, 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 17th November 1975;

(*b*) 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 19th November 1975; and

(*c*) unemployment and sickness benefit, invalidity pension and allowance, non-contributory invalidity pension and injury benefit (including where appropriate increases for dependants) on 20th November 1975.

(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 17th November 1975 to 19th November 1975 (both dates included), be determined as if the increase in the rates of retirement pensions under the Act took effect on 20th November 1975.

(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 sections 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 17th November 1975.

(4) In the case of a person to whom injury benefit under the Act is payable for 19th November 1975 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 19th November 1975 and, where appropriate, as if the reference to 20th November 1975 in paragraph (2) of this Article were a reference to 19th November 1975.

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 28th July 1975.

(L.S.) *C. G. Oakes*
Assistant Secretary

Sealed with the Official Seal of the Department of Finance for Northern Ireland on 28th July 1975.

(L.S.) *L. J. Johnston*
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 . . . £11·10 (*b*) lower rate . . . £ 7·80 (the appropriate rate being determined in accordance with section 14(4)).
2. Invalidity pension (section 15).	£13·30
3. Invalidity allowance (section 16).	(*a*) higher rate . . . £ 2·80 (*b*) middle rate . . . £ 1·70 (*c*) lower rate . . . £ 0·85 (the appropriate rate being determined in accordance with section 16(2)).
4. Maternity allowance (section 22).	£11·10
5. Widow's allowance (section 24).	£18·60
6. Widowed mother's allowance (section 25).	£13·30
7. Widow's pension (section 26).	£13·30
8. Category A retirement pension (section 28).	£13·30
9. Category B retirement pension (section 29).	(*a*) lower rate . . . £ 7·90 (*b*) higher rate . . . £13·30 (the appropriate rate being determined in accordance with section 29(7)).
10. Child's special allowance (section 31).	£6·50

PART II

MATERNITY GRANT AND DEATH GRANT

Description of grant	*Amount*
	£
1. Maternity grant (section 21)	25·00
2. Death grant (section 32), where the deceased was at his death—	
(*a*) under the age of 3	9·00
(*b*) between the ages of 3 and 6	15·00
(*c*) between the ages of 6 and 18	22·50
(*d*) over the age of 18—	
(i) if on 5th July 1948 that person had attained the age of 55 in the case of a man or 50 in the case of a woman	15·00
(ii) in any other case	30·00

PART III

NON-CONTRIBUTORY PERIODICAL BENEFITS (ss. 34-40)

Description of benefit	*Weekly rate*
1. Attendance allowance (section 35).	(*a*) higher rate . . . £10·60 (*b*) lower rate . . . £ 7·10 (the appropriate rate being determined in accordance with section 35(3)).
2. Non-contributory invalidity pension (section 36).	£7·90
3. Invalid care allowance (section 37).	£7·90
4. Guardian's allowance (section 38).	£6·50
5. Category C or Category D retirement pension (section 39).	(*a*) lower rate . . . £ 4·90 (*b*) higher rate . . . £ 7·90 (the appropriate rate being determined in accordance with section 39(2)).
6. Age addition (to a pension of any category, and otherwise under section 40).	£0·25