1970. No. 327 **[C]**

SUPPLEMENTARY BENEFITS

Decimalisation of the Currency

REGULATIONS, DATED 15TH DECEMBER 1970, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES UNDER THE SUPPLEMENTARY BENEFITS &C. ACT (NORTHERN IRELAND) 1966 AND UNDER THE NATIONAL INSURANCE &C. (NO. 2) ACT (NORTHERN IRELAND) 1969.

The Ministry of Health and Social Services, in exercise of powers conferred by section 18(1) of the Supplementary Benefits &c. Act (Northern Ireland) 1966(**a**) and by section 8 of the National Insurance &c. (No. 2) Act (Northern Ireland) 1969(**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 38(2) of the Supplementary Benefits &c. Act (Northern Ireland) 1966 and section 8(5) of the National Insurance &c. (No. 2) Act (Northern Ireland) 1969:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Supplementary Benefit (Decimalisation of the Currency) Regulations (Northern Ireland) 1970 and shall come into operation on 15th February 1971.

(2) In these regulations—

"the 1966 Act" means the Supplementary Benefits &c. Act (Northern Ireland) 1966;

"the appointed day" means 15th February 1971 (the day appointed under section 1 of the Decimal Currency Act 1967(**c**));

"benefit determination" means a determination as to the amount of a person's supplementary pension or allowance and includes a determination that benefit shall be issued to a person other than the claimant;

"the conversion period" means the period of two years beginning on the appointed day;

"the General Regulations" means the Supplementary Benefit (General) Regulations (Northern Ireland) 1966(**d**), as amended(**e**);

"the new currency" means the new currency of the United Kingdom provided for by the Decimal Currency Act 1967;

"the old currency" means the currency of the United Kingdom in force before the appointed day;

and other expressions have the same meanings as in the 1966 Act.

Amendments to Schedule 2 to the 1966 Act

2.—(1) Schedule 2 to the 1966 Act (provisions for determining right to and amount of benefit) shall be amended in accordance with the following provisions of this regulation.

(**a**) 1966. c. 28 (N.I.).
(**b**) 1969. c. 19 (N.I.).
(**c**) 1967. c. 47.
(**d**) S.R. & O. (N.I.) 1966, No. 188.
(**e**) S.R. & O. (N.I.) 1967, No. 206; 1968, No. 265; 1969, No. 43 and No. 252.

(2) For paragraph 2 (negligible amounts and fractions of a shilling) of that Schedule there shall be substituted the following paragraph—

"Negligible and fractional amounts

2.—(1) Where the weekly amount of any benefit would be less than 10 new pence the benefit shall not be payable.

(2) Where the weekly amount of any benefit exceeds 10 new pence but is not a multiple of 5 new pence, the amount by which it exceeds such a multiple shall, if it is 3 new pence or more, be treated as 5 new pence, and, if it is less, be disregarded.

(3) Where any person claiming or in receipt of benefit is entitled to any benefit under the National Insurance Acts (Northern Ireland) 1966 to 1970 or the National Insurance (Industrial Injuries) Acts (Northern Ireland) 1966 to 1969, regulations made under section 4 may provide that sub-paragraph (1) shall not apply and may modify sub-paragraph (2) so as to avoid fractions of 5 new pence in the aggregate of the amounts of the said benefits."

(3) For paragraph 9 (normal requirements) and paragraph 10 (blind persons' requirements) of that Schedule, as varied(f), there shall be substituted the following paragraphs—

"9. Requirements of persons other than blind persons—

	£
(*a*) husband and wife or other persons falling within paragraph 3(1)	8·50
(*b*) person living alone or householder not falling within sub-paragraph (*a*) who is directly responsible for household necessities and rent (if any)	5·20
(*c*) any other person aged—	
(i) not less than 21 years	4·15
(ii) less than 21 but not less than 18 years	3·50
(iii) less than 18 but not less than 16 years	3·05
(iv) less than 16 but not less than 13 years	2·40
(v) less than 13 but not less than 11 years	2·20
(vi) less than 11 but not less than 5 years	1·80
(vii) less than 5 years	1·50

10. Requirements of persons who are or include blind persons—

	£
(*a*) husband and wife or other persons falling within paragraph 3(1)—	
(i) if one of them blind	9·75
(ii) if both of them blind	10·55
(*b*) any other blind person aged—	
(i) not less than 21 years	6·45
(ii) less than 21 but not less than 18 years	4·50
(iii) less than 18 but not less than 16 years	3·85
(iv) less than 16 but not less than 13 years	2·40
(v) less than 13 but not less than 11 years	2·20
(vi) less than 11 but not less than 5 years	1·80
(vii) less than 5 years	1·50"

(4) In paragraphs 11 and 12 (additional requirements respectively of persons in receipt of supplementary pension and certain persons in receipt of supplementary allowance) of that Schedule, as varied(g), for the sum "10s. 0d." there shall be substituted the sum "£0·50".

(f) S.R. & O. (N.I.) 1970, No. 155. (g) S.R. & O. (N.I.) 1968, No. 167.

(5) In paragraph 13(1)(*b*) (increase in requirements of non-householders aged 18 or over) of that Schedule, as varied(**h**), for the sum "12 shillings" there shall be substituted the sum "£0·60".

(6) In Part III (calculation of resources)—

(*a*) for "1s." and "multiple of a shilling" in paragraphs 22(*a*) and 23 there shall be substituted "5 new pence" and "multiple of 5 new pence", respectively;

(*b*) for "2s. 6d.", "7s. 6d." and "5s. 6d." in paragraphs 22(*b*), 24(1)(*f*) and 24(1)(*g*) there shall be substituted "£0·12½", "£0·38" and "£0·28", respectively;

(*c*) for "20s." in paragraphs 23(*a*) and 25 there shall be substituted "£1·00";

(*d*) for "40s." in paragraphs 23(*b*), 24 and 25(2) there shall be substituted "£2·00".

Amendment to General Regulations

3.—(1) In heads (i) and (ii) of regulation 7(1)(*b*) of the General Regulations (review of determinations on account of relevant changes of circumstances), for "2s." there shall be substituted in each case "10 new pence".

(2) After regulation 8 of the said regulations there shall be added the following new regulations—

"Fractional amounts of requirements and resources

9.—(1) Where capital resources taken into consideration on a claim for benefit are of such an amount as to require their equivalent weekly income under paragraph 22 of Schedule 2 to the Act (calculation of income from resources) to be calculated under sub-paragraph (*b*) (as well as sub-paragraph (*a*)) of that paragraph, if the total of the equivalent weekly income so calculated is not a multiple of whole new pence it shall be rounded down to the next smaller amount in whole new pence.

(2) Any other constituent part of a person's requirements or resources taken into consideration under the said Schedule 2 shall, if it is not a multiple of whole new pence, be rounded, in the case of requirements to the next larger amount in whole new pence, and in the case of resources to the next smaller amount in whole new pence.

Transitional cases affected by decimalisation of currency

10. Where paragraph 4 of Schedule 6 to the Act (persons formerly in receipt of pensions under the Old Age Pensions Act (Northern Ireland) 1936(**i**) or assistance grants under the National Assistance Act (Northern Ireland) 1948(**j**)) affects entitlement to or the amount of a person's benefit and the amount of the pension or grant referred to in sub-paragraph (1) of that paragraph to which he was entitled, if converted into the new currency under section 1 of the Decimal Currency Act 1967, would include a fraction of a new penny, then, for the purpose of applying sub-paragraph (3) or (4) of the said paragraph 4, a rate of supplementary pension or allowance of the next larger amount in whole new pence shall be treated as equal to the rate of the said pension or grant."

(**h**) S.R. & O. (N.I.) 1970, No. 155.
(**i**) 26 Geo. 5 & 1 Edw. 8. c. 31 (N.I.).
(**j**) 1948. c. 13.

Amendment to Claims and Payments Regulations

4.—(1) For the heading to regulation 12 (negligible amounts and fractions of a shilling) of the Supplementary Benefit (Claims and Payments) Regulations (Northern Ireland) 1966(**k**) as amended(**l**), there shall be substituted the heading "Provisions for the purposes of paragraph 2(3) of Schedule 2 to the Act"; and in regulation 12 for the words "negligible amounts and fractions of a shilling" there shall be substituted the words "negligible and fractional amounts".

(2) After regulation 13 of the said regulations there shall be added the following new regulation—

"Fractional amounts of benefit

14. Where an amount of benefit is payable to a person and, notwithstanding the operation of any other provision of the Act or regulations, that amount is not a multiple of whole new pence, there shall be paid to him the nearest amount in whole new pence, a new halfpenny being rounded to the next new penny above."

Decimalisation of benefit determinations made before the appointed day

5.—(1) This regulation applies to every benefit determination made before the appointed day, including any such determination revised on review before the appointed day, which relates to or includes a period within, and for which benefit is made payable in, the conversion period.

(2) A benefit determination to which this regulation applies shall have effect in the new currency as regards benefit payable in the conversion period, the amount, subject to the following provisions of this regulation, being the equivalent under section 1 of the Decimal Currency Act 1967 of the amount that would have been payable but for decimalisation of the currency.

(3) Where by reason of the operation of paragraph 2(2) of Schedule 2 to the 1966 Act (rounding of fractional amounts) as modified by regulations made under section 4 of that Act as extended by paragraph 2(3) of the said Schedule (rounding of fractional amounts in certain cases where a person is entitled to benefit under the National Insurance Acts (Northern Ireland) 1966 to 1970 or the National Insurance (Industrial Injuries) Acts (Northern Ireland) 1966 to 1969 as well as to benefit under the 1966 Act) in cases where the regulations so provide, the amount to be rounded is the aggregate of the amount of benefit under the 1966 Act and the amount of the benefit under the National Insurance Acts (Northern Ireland) 1966 to 1970 or the National Insurance (Industrial Injuries) Acts (Northern Ireland) 1966 to 1969, the amount to be converted into the new currency under this regulation shall, subject to paragraph (5), be that aggregate amount.

(4) Where the appropriate amount in the new currency under this regulation would not be a multiple of whole new pence, that amount shall be rounded up to the next larger amount in whole new pence.

(5) Where under section 18(2) of the 1966 Act (issue of benefit to a person other than the claimant) a benefit determination to which this regulation applies requires part of the benefit to be issued to a person other than the claimant, paragraphs (2), (3) and (4), so far as relevant, shall have effect as if each such paragraph were applicable in the conversion period independently, first to the amount issued to the person other than the claimant, and secondly as to the balance issued to the claimant, notwithstanding any excess of the sum of those amounts over the total amount that would have been applicable but for the operation of this paragraph.

(**k**) S.R. & O. (N.I.) 1966, No. 189. (**l**) S.R. & O. (N.I.) 1967, No. 88.