EXPLANATORY NOTE

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

The Regulations prescribe the forms of Notices to be used for the purposes of the Business Tenancies Act (Northern Ireland) 1964.

These Regulations shall cease to have effect unless before the expiration of six months from the 29th day of March, 1965, they have been approved by a resolution of each House of Parliament.

1964. No. 216 [C]

NATIONAL ASSISTANCE

Determination of Need

REGULATIONS, DATED 30TH DECEMBER, 1964, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE UNDER SECTIONS 5 AND 6 OF THE NATIONAL ASSISTANCE ACT (NORTHERN IRELAND) 1948.

The Ministry of Labour and National Insurance in accordance with the provisions of section 6 of the National Assistance Act (Northern Ireland) 1948(a), and in exercise of powers conferred by section 5 of that Act, and of all other powers enabling it in that behalf, hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the National Assistance (Determination of Need) Regulations (Northern Ireland) 1964, and shall come into operation on the 29th March, 1965.

(2) In these regulations—

"the Act" means the National Assistance Act (Northern Ireland) 1948;

"the applicant" means a person who has made an application for assistance under the Act;

"net weekly earnings" means the net remuneration or profit, calculated on a weekly basis, derived by a person from any gainful occupation or occupations, and, in particular, in so far as the earnings consist of salary or wages, there shall be deducted—

(*a*) any sum the deduction of which from salary or wages is authorised by statute;

(*b*) the reasonable expenses, if any, incurred by the said person in connection with his employment.

(a) 1948. c. 13.

(3) For the purposes of these regulations, a person shall be treated as a husband or a wife only where he or she is a member of the same household as his wife or her husband, and the expression "husband and wife" shall be construed accordingly.

Determination of need for assistance

2. Subject to the provisions of these regulations, the need for assistance of an applicant shall be determined on a weekly basis at the amount calculated by deducting from his requirements, computed in accordance with the provisions of Part I of Schedule 1, his available resources, computed in accordance with the provisions of Part II of the said Schedule and with the rules as to the disregarding of certain assets set out in Schedule 2 to the Act.

Adjustment in special circumstances

3. Where there are special circumstances the amount calculated in accordance with regulation 2 may be adjusted as may be appropriate to meet those circumstances.

Minor adjustments

4. Notwithstanding anything contained in regulations 2 and 3—

(*a*) where the amount calculated in accordance therewith is less than one shilling the applicant shall be deemed not to be in need of assistance; and subject thereto

(*b*) where such amount is not a multiple of sixpence it shall be treated as the amount nearest thereto which is a multiple of sixpence.

Adjustment in relation to normal wages

5. The need for assistance of an applicant, being a person required under section 8(4) of the Act to register for employment as a condition for the receipt of an assistance grant, shall not, unless there are special circumstances, be determined at an amount which, when taken together with his net weekly earnings from any regular part-time occupation, would exceed the amount of his net weekly earnings if he were employed full-time in his normal occupation.

Grants for exceptional need

6. An assistance grant of such a sum as is reasonable having regard to all the circumstances of the case may be made, by way of a single payment, to meet an exceptional need for assistance of an applicant.

Revocation of regulations

7. The regulations specified in Schedule 2 are hereby revoked.

Sealed with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this 30th day of December, 1964.

(L.S.) *Ronald Green,*
Secretary.

SCHEDULE 1 Regulation 2

PART I

Rules for the Computation of Requirements

Aggregation of requirements

1. The requirements of an applicant, subject to the provisions of paragraphs 5 and 6, shall be taken to be the aggregate amount of the sums in respect of the requirements—

(*a*) of the applicant; and

(*b*) of the husband or wife of the applicant; and

(*c*) of any other member of the household dependent on the applicant;

allowed in accordance with the provisions of paragraphs 2, 3 and 4.

Requirements other than rent

2. *Ordinary scale.* Subject to the provisions of paragraph 3 a weekly sum in respect of requirements other than rent shall be allowed as follows:

	£	s.	d.
(*a*) For a husband and wife	6	5	6
(*b*) For a person who is living alone, or is a householder and, as such, is directly responsible for rent and household necessaries	3	16	0
(*c*) For any other person, being—			
(i) aged 21 years or over	3	7	6
(ii) aged 18 years or over but less than 21 years	2	11	6
(iii) aged 16 years or over but less than 18 years	2	4	6
(iv) aged 11 years or over but less than 16 years	1	13	6
(v) aged 5 years or over but less than 11 years	1	7	0
(vi) aged under 5 years	1	2	6

3. *Scale for blind and certain tuberculous persons.* Where a person aged 16 years or over, or his wife or her husband, is a blind person or has suffered a loss of income in order to undergo treatment for tuberculosis of the respiratory system, the weekly sum in respect of requirements other than rent shall be allowed as follows:

	£	s.	d.
(*a*) For a husband and wife—			
(i) of whom one is such a person	7	10	0
(ii) of whom both are such persons	8	6	0
(*b*) For any other such person, being—			
(i) aged 21 years or over	5	0	6
(ii) aged 18 years or over but less than 21 years	3	11	6
(iii) aged 16 years or over but less than 18 years	3	0	6

Rent

4.—(1) A weekly sum in respect of requirements for rent shall be allowed as follows:

(*a*) where the applicant, or his wife or her husband, is a householder, or where the applicant is living alone, the net rent payable, or such a part thereof as is reasonable in the circumstances;