

## 1983 No. 72

## WELFARE FOODS

## Welfare Foods (Amendment) Regulations (Northern Ireland) 1983

Made . . . . . 29th March 1983

Coming into operation . . . . . 4th April 1983

The Department of Health and Social Services, in exercise of the powers conferred on it by section 1(3) of the Welfare Foods Act (Northern Ireland) 1968(a) and of all other powers enabling it in that behalf, and with the consent of the Department of Finance and Personnel(b), hereby makes the following regulations:

*Citation, commencement and interpretation*

1.—(1) These regulations may be cited as the Welfare Foods (Amendment) Regulations (Northern Ireland) 1983 and shall come into operation on 4th April 1983.

(2) In these regulations “the principal regulations” means the Welfare Foods Regulations (Northern Ireland) 1981(c).

*Amendment of regulation 2(1) of the principal regulations*

2. Regulation 2(1) of the principal regulations (interpretation) shall be amended as follows—

- (a) for the definition of “dried milk” there shall be substituted the following definition—  
 “‘dried milk’ means any modified dried milk which is approved by the Department for the purposes of these regulations;” and
- (b) in the definition of “nursing mother” the words “and is herself suckling the child” shall be omitted.

*Amendment of regulation 3 of the principal regulations*

3.—(1) For regulation 3 of the principal regulations there shall be substituted the following regulation—

*“Meaning of family in special circumstances*

3. A family shall be deemed to be in special circumstances if it includes a person, being an expectant mother, nursing mother or young child, who—

- (a) is entitled to supplementary benefit under the Supplementary Benefits (Northern Ireland) Order 1977(d);
- (b) has requirements and resources aggregated under paragraph 3 of Schedule 1 to that Order with those of a member of the family who is entitled to that benefit;

(a) 1968 c. 26 (N.I.)

(b) Formerly the Department of Finance. See S.I. 1982/338 (N.I. 6) Article 3

(c) S.R. 1981 No. 159, as amended by S.R. 1981 No. 308

(d) S.I. 1977/2156 (N.I. 27), (other than Articles 1, 42 and Schedules 4 to 7) with certain amendments is set out in Part II of Schedule 2 to the Social Security (Northern Ireland) Order 1980 (S.I. 1980/870 (N.I. 8)); the Order is further amended by Article 6(5) of the Social Security (No.2) (Northern Ireland) Order 1980 (S.I. 1980/1087 (N.I. 13)), Articles 4 and 5 of, and paragraphs 5 to 9 of the Schedule to, the Social Security (Northern Ireland) Order 1981 (S.I. 1981/1118 (N.I. 25)) and Articles 31 and 38 of, and paragraphs 14 to 16 in Part I of Schedule 4 to, the Social Security (Northern Ireland) Order 1982 (S.I. 1982/1084 (N.I. 16))

- (c) is a member of a family entitled to receive family income supplement under the Family Income Supplements Act (Northern Ireland) 1971(a); or  
 (d) is a person to whom Schedule 4 applies.”

(2) After Schedule 3 to the principal regulations there shall be added the Schedule set out in the Schedule to these regulations.

*Amendment of regulation 4(2) of the principal regulations*

4. In regulation 4(2) of the principal regulations (entitlement to welfare milk) there shall be substituted for the words from the beginning to “shall not be entitled” the words “Where there are applications for welfare milk in respect of both a nursing mother and a child to whom she has given birth within the preceding 30 weeks, there shall not be an entitlement”.

*Amendment of regulation 5 of the principal regulations*

5.—(1) For regulation 5 of the principal regulations there shall be substituted the following regulation—

*“Entitlement to welfare food other than welfare milk*

5. A beneficiary within the meaning given to that expression in sub-paragraph (a) or (b) of the definition in regulation 2(1) who is of a class mentioned in column (1) of Schedule 1 shall be entitled to receive free of charge the welfare food specified in his case in column (2) in the quantity specified in column (4) of that Schedule.”

(2) Column (3) (price of vitamin preparations) of Schedule 1 to the principal regulations shall be omitted.

*Revocations*

6.—(1) Regulation 22 of the principal regulations (transitory provision) and Schedule 2 to those regulations (dried milk approved for the purposes of the regulations) are hereby revoked.

(2) In regulation 3 of the Welfare Foods (Amendment) Regulations (Northern Ireland) 1981(b) the words from “3(1)” to “circumstances)” shall be omitted and regulation 4 of those regulations is hereby revoked.

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 29th March 1983.

(L.S.)

*C. Davie*

Assistant Secretary

The Department of Finance and Personnel for Northern Ireland hereby consents to the foregoing regulations.

Sealed with the Official Seal of the Department of Finance and Personnel for Northern Ireland on 29th March 1983.

(L.S.)

*R. J. Anderson*

Assistant Secretary

(a) 1971 c. 8 (N.I.)

(b) S.R. 1981 No. 308

## SCHEDULE

SCHEDULE 4 TO THE WELFARE FOODS REGULATIONS (NORTHERN IRELAND) 1981 AS INSERTED  
BY THESE REGULATIONS

## Certain Families in Special Circumstances

Regulation 3(2)

1. This Schedule applies to an expectant mother, nursing mother or young child if the requirements of the assessment unit to which that person belongs exceed the resources of that unit when determined by the Department in accordance with the Supplementary Benefits (Northern Ireland) Order 1977 as modified in accordance with the following table.

TABLE

<i>Provisions of Order</i>	<i>Effect of Provisions</i>	<i>Modification</i>
Article 3	Right to supplementary benefit	In the case of a mother or expectant mother, as if there were no reference to the age of 16.
Article 7	Supplementary allowance: conditions	As if the Article were omitted.
Article 8	Exclusion from supplementary benefit of persons not resident in the United Kingdom for a qualifying period	” ”
Article 9	Exclusion from supplementary benefit of certain employed persons and pupils	” ”
Article 12	Persons affected by trade disputes	” ”
Article 14	Modification of right to supplementary allowance in certain cases	” ”
Schedule 1, paragraph 2.	Requirements	As if the requirements referred to in this paragraph included the following additional requirements— (a) in respect of each young child and any expectant mother in the assessment unit— (i) the approved price of milk at the rate of one pint per day and (ii) the reasonable cost of vitamin preparations; (b) in respect of any nursing mother in the assessment unit the reasonable cost of vitamin preparations, and

<i>Provisions of Order</i>	<i>Effect of Provisions</i>	<i>Modification</i>
		<p>(c) in respect of each assessment unit—</p> <p>(i) the sum of £2.50 and</p> <p>(ii) such amount (if any) as is considered reasonable to meet the repayment of mortgage capital costs of the members of the assessment unit, life insurance premiums payable by and in respect of a policy on the life of any member of the assessment unit and hire purchase payments for essential items required by members of the assessment unit.</p>

2. Where a person has qualified under paragraph 1, that qualification shall continue—

(a) for such period not exceeding 12 months as the Department may allow or until any young child in the assessment unit attains the age of 5 years and 1 month, whichever first occurs; and

(b) where the assessment unit includes an expectant mother, during her pregnancy.

3. In this Schedule “assessment unit” means a family consisting of one or more of the following members—

(a) an expectant mother;

(b) a nursing mother;

(c) a young child;

(d) a person whose requirements and resources are aggregated under paragraph 3 of Schedule 1 to the Supplementary Benefits (Northern Ireland) Order 1977 with those of a person mentioned in sub-paragraphs (a) to (c), and

(e) a partner living with a person mentioned in sub-paragraph (a) or (b), whether married to her or not.

## EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

These regulations amend the Welfare Foods Regulations (Northern Ireland) 1981 ("the principal regulations") by—

- (a) omitting provisions of the principal regulations specifying modified dried milks approved by the Department;
- (b) amending the definition of nursing mother so as to include a mother who is not suckling her child;
- (c) redefining the term "family in special circumstances";
- (d) omitting provisions of the principal regulations specifying the price of children's vitamin drops and of vitamin tablets and omitting provisions of the principal regulations under which a person could buy those vitamin drops and tablets; and
- (e) revoking a transitory provision of the principal regulations which is now spent.

The regulations also make minor consequential amendments to the Welfare Foods (Amendment) Regulations (Northern Ireland) 1981.

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1983 No. 73

**Medicines (Animal Feeding Stuff) (Enforcement) Regulations 1983**

These Regulations have been made by the Minister of Agriculture, Fisheries and Food, the Secretaries of State respectively concerned with agriculture in Scotland and in Wales and the Department of Agriculture for Northern Ireland, acting jointly, in exercise of powers conferred by section 117(1)(2) and (3) of the Medicines Act 1968.

In pursuance of paragraph 11 of Schedule 4 to that Act these Regulations have been registered as a Northern Ireland statutory rule under the Statutory Rules (Northern Ireland) Order 1979. They are printed in full in the volume of United Kingdom Statutory Instruments for 1983 and have been numbered 62 in that series.