

1972. No. 22

[C]

FAMILY INCOME SUPPLEMENTS**General**

REGULATIONS, DATED 3RD FEBRUARY 1972, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES UNDER THE FAMILY INCOME SUPPLEMENTS ACT (NORTHERN IRELAND) 1971.

The Ministry of Health and Social Services, in exercise of powers conferred by section 6(2) of the Family Income Supplements Act (Northern Ireland) 1971(a), 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 10(3) of that Act:

Citation and commencement

1. These regulations may be cited as the Family Income Supplements (General) Amendment Regulations (Northern Ireland) 1972 and shall come into operation on 8th February 1972.

Amendment of the Family Income Supplements (General) Regulations (Northern Ireland) 1971

2. For regulation 3 of the Family Income Supplements (General) Regulations (Northern Ireland) 1971(b) (circumstances in which benefit may be made payable otherwise than for twenty-six weeks beginning with the date of the claim therefor) there shall be substituted the following regulation:

“Circumstances in which benefit may be made payable otherwise than for twenty-six weeks beginning with the date of the claim therefor and in which the rate of benefit payable may be increased

3.—(1) Where the available evidence leaves the Commission or the Appeal Tribunal in doubt as to the rate at which benefit should be payable, but satisfies them that benefit should be payable at not less than a certain weekly rate, they may determine that benefit shall be payable at the latter rate for a period of less than twenty-six weeks, but not less than four weeks.

(2) Where a beneficiary makes a claim not more than four weeks before or after the expiration of a period for which benefit is payable (hereafter in this paragraph referred to as a “renewal claim”), any benefit payable on the basis of the renewal claim shall be payable for a period commencing immediately after the expiration of the period for which benefit was previously payable.

(3) Where a claim is made on or after the date on which regulations have been made in exercise of powers conferred by section 2(2) of the Act (power to make regulations substituting higher amounts for those for the time being specified in section 2 of the Act) or by section 3(4) of the Act (power to make regulations varying the proportion and increasing the amounts for the time being specified in section 3 of the Act) but before the date on which the regulations come into operation, then if benefit is not payable for the family in respect of whom the claim is made but would

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

(b) S.R. & O. (N.I.) 1971, No. 122.

have been payable had the regulations been in operation on the date on which the claim was made, it shall be payable on that claim from the date on which the regulations come into operation, so however that the period for which benefit is payable on the claim shall expire on the date on which it would have expired had benefit been payable for a period beginning with the date on which the claim was made.

(4) Where during a period during which benefit is payable for a family—

(a) regulations made in exercise of powers conferred by section 2(2) of the Act or by section 3(4) of the Act have or will come into operation, and

(b) those regulations, had they been in operation on the date on which the claim was made in respect of which benefit is payable for that family, would have entitled that family to benefit at a higher rate than the rate at which it is payable,

the rate at which benefit is payable for that family shall be, with effect from the date on which the regulations have or will come into operation, the said higher rate."

Scaled with the Official Seal of the Ministry of Health and Social Services for Northern Ireland this 3rd day of February 1972.

(L.S.)

C. G. Oakes,
Assistant Secretary.

EXPLANATORY NOTE

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

These regulations amend the Family Income Supplements (General) Regulations (Northern Ireland) 1971 by substituting a new regulation for regulation 3.

Where regulations are made under section 2(2) of the Family Income Supplements Act (Northern Ireland) 1971 (power to make regulations substituting higher amounts for those for the time being specified in section 2 of that Act) or under section 3(4) of that Act (power to make regulations varying the proportion and increasing the amounts for the time being specified in section 3 of that Act), the new regulation 3 enables certain persons who have claimed benefit under the 1971 Act before the regulations under section 2(2) or section 3(4) come into operation to obtain benefit, or benefit at a higher rate, from the date on which those regulations come into operation.