

1973 No. 289

## FOOD AND DRUGS

## The Welfare Food (Amendment) Order 1973

<i>Made</i>	- - -	22nd February 1973
<i>Laid before Parliament</i>		2nd March 1973
<i>Coming into Operation</i>		1st April 1973

The Secretary of State for Social Services and the Secretary of State for Wales in exercise of powers conferred by sections 4 and 7 of the Emergency Laws (Re-enactments and Repeals) Act 1964(a) and now vested in them (b), acting jointly with the Secretary of State for Scotland in exercise of those powers and of all other powers enabling them in that behalf, hereby order as follows:—

*Title, commencement and extent*

1.—(1) This order may be cited as the Welfare Food (Amendment) Order 1973 and shall come into operation on 1st April 1973.

(2) This order shall not extend to Northern Ireland.

*Interpretation*

2. In this order the expression “the principal order” means the Welfare Food Order 1971(c) as amended (d).

*Amendments of the principal order*

3.—(1) Article 3 of the principal order (meaning of a family in special circumstances) shall be amended as follows:—

- (a) For the words from the beginning of paragraph (1) to the words “following modifications—” there shall be substituted the following: “For the purposes of this order, a beneficiary shall be deemed to belong to a family in special circumstances—
- (I) if and for as long as that family is entitled to receive supplementary benefit in accordance with the provisions of Part II of the Ministry of Social Security Act 1966(e); or
  - (II) in respect of any period during which his requirements exceed his resources when calculated or estimated by the Secretary of State according to the provisions of paragraphs 3 and 7 to 10, 11, 12A, 12B (in so far as it relates to persons to whom paragraph 11 applies), 13 and 15 to 29 of Schedule 2 to the Ministry of Social Security Act 1966, subject to the following modifications—”.

(a) 1964 c. 60. (b) The Secretary of State for Social Services Order 1968, Articles 2 and 5(4), S.I. 1968/1699 (1968 III, p. 4585); The Transfer of Functions (Wales) Order 1969, Articles 2 and 5(3), S.I. 1969/388 (1969 I, p. 1070).

(c) S.I. 1971/457 (1971 I, p. 1358). (d) S.I. 1971/1920 (1971 III, p. 5190). (e) 1966 c. 20.

- (b) After paragraph (2) there shall be inserted the following paragraph—  
“(2A) A beneficiary deemed to belong to a family in special circumstances by virtue of sub-paragraph (II) of paragraph (1) shall continue to belong to such a family for such period as the Secretary of State may allow, being a period of not more than 12 months or, where the beneficiary is a child, until he attains the age of 5 years and 1 month, whichever is the earlier:

Provided that—

- (i) where a mother in a family in special circumstances becomes an expectant mother during any such period, she shall be deemed to be a beneficiary in that family during that period without making a further application under this order;
- (ii) where, during the period of 6 months immediately preceding 1st April 1973 and expiring on or after that date a beneficiary belonged to a family in special circumstances, such a beneficiary shall continue to belong to such a family for such further period as the Secretary of State may allow, being a period of not more than 6 months from the date of expiry or, where the beneficiary is a child, until he attains the age of 5 years and 1 month, whichever is the earlier.”
- (2) Article 5 of the principal order (entitlement to welfare food other than liquid milk) shall be amended as follows:—
- (a) In paragraph (1) for the words “such a person belongs to a family in special circumstances” there shall be substituted the words “a person is a beneficiary of a class defined in article 2(1) (a), (b) or (c)”.
- (b) In column (4) of Schedule 2 for the words “Quantity of welfare food supplied free of charge to beneficiaries in a family in special circumstances” there shall be substituted the words “Quantity of welfare food supplied free of charge to beneficiaries of a class defined in article 2(1) (a), (b) or (c)”.
- (3) In Article 9(4) of the principal order (use of tokens) for the words “in a family in special circumstances” there shall be substituted the words “of a class defined in article 2(1) (a), (b) or (c)”.

*Keith Joseph,*

Secretary of State for Social Services.

20th February 1973.

*Peter Thomas,*

Secretary of State for Wales.

21st February 1973.

*Gordon Campbell,*

Secretary of State for Scotland.

22nd February 1973.

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**EXPLANATORY NOTE**

*(This Note is not part of the Order.)*

This Order amends the Welfare Food Order 1971 by providing that awards of free welfare food to beneficiaries in families in special circumstances (other than those in receipt of supplementary benefit) shall continue for such period as the Secretary of State may allow, being a period of up to 12 months, irrespective of changes in family income during that period. A mother in such a family who becomes pregnant during the period of an award shall be entitled to receive tokens for the remainder of the period without submitting a further claim. Additionally, where a beneficiary belonged to such a family during the six months immediately preceding the date of coming into operation of this Order and expiring on or after that date, he shall continue to belong to such a family for such further period as the Secretary of State may allow, being a period of up to 6 months.

The Order also provides that entitlement to free welfare vitamins shall be extended to an expectant or nursing mother who already has two young children and to all but two of the young children in any one family, not being a family in special circumstances.

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