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.

(6) In any other case in which part of the benefit is issued to a person other than the claimant, the part thereof to be issued in the conversion period to the claimant shall be the difference between the amounts applicable under this regulation of the benefit and of the part thereof issued to the said person other than the claimant.

(7) No review shall be necessary for the operation of this regulation and no benefit determination shall be reviewed under regulation 7 of the General Regulations (review of determination made by the Commission or an Appeal Tribunal) for the purpose of giving effect to any changes made by the coming into operation of regulations 2 and 3 and to any other changes due to decimalisation of amounts of the constituent parts of a person's requirements or resources.

Benefit determinations renewed in the conversion period

6.—(1) (*a*) This regulation applies to every benefit determination, other than one made by way of review of an earlier determination, that satisfies the following conditions—

(i) it is made in, or benefit thereunder first becomes payable in, the conversion period; and

(ii) it is made in respect of a period immediately following that of a benefit determination that either had effect before the appointed day, or was made under this regulation or under regulation 7 by reference directly or indirectly to the amount of a benefit determination having effect before the appointed day.

(*b*) For the purpose of the preceding sub-paragraph where a period not exceeding three weeks separates two successive periods of entitlement to a supplementary allowance, the latter of those successive periods shall be treated as immediately following the former if throughout the separating period—

(i) the beneficiary registered for employment in the manner prescribed by regulation 4 of the General Regulations; and

(ii) he was disentitled to a supplementary allowance by the amount of his casual earnings.

(2) A benefit determination to which this regulation applies need not be recalculated in accordance with the provisions of Schedule 2 to the 1966 Act, as amended by these regulations, but may be of the same total amount as that payable under the said last previous benefit determination, or of such total amount adjusted in the manner provided by paragraph (4).

(3) For the purposes of paragraph (2), where the said last previous benefit determination terminated on or about the appointed day and benefit thereunder was not payable in the new currency for any period, that determination shall be treated as being of such an amount in the new currency as would have been applicable under regulation 5 had that determination continued to have effect in the conversion period.

(4) Where by reason of any changes (other than changes attributable to decimalisation of the currency) the amount of the said last previous benefit determination would not be appropriate to the benefit determination to which this regulation applies, the amount of the latter may be calculated by reference to the amount previously determined making the necessary adjustment by taking into account the difference between the amounts specified in or under the said Schedule 2, as amended by these regulations, for the preceding period, and for the period to be included in the new determination, respectively.

Review of benefit determinations without full recalculation

7. Where (notwithstanding the provisions of regulation 5(7) of these regulations) a benefit determination falls to be reviewed in the conversion period under regulation 7 of the General Regulations (review of determination made by the Commission or an Appeal Tribunal) on the grounds that there has been a relevant change of circumstances within the meaning of that regulation or a change such as is referred to in paragraph (5) thereof, the amount of benefit payable under the revised determination need not be wholly recalculated in respect of periods beginning on or after the appointed day in accordance with the provisions of Schedule 2 to the 1966 Act in force at the date of the change, but may instead be calculated by reference to the total amount previously determined, making any necessary adjustment by taking into account rates and amounts under that Schedule applicable before, and after, respectively, the relevant change.

Miscellaneous transitional provisions

8.—(1) No money payment on account of benefit shall be made otherwise than in the new currency.

(2) Where, for the purpose of determining entitlement to or the amount of benefit in the period beginning on the appointed day and ending on such day as the Treasury may appoint under section 16(1) of the Decimal Currency Act 1969(m), the amount of any constituent part of a person's requirements or resources has to be ascertained, if it is an amount expressed in the old currency it shall for that purpose be treated as being of the corresponding amount in the new currency calculated in accordance with the provisions of the Schedule to these regulations, which Schedule reproduces Schedule 1 to that Act.

(3) Where a benefit determination is made in the conversion period in respect of a period before the appointed day, the total amount payable in the new currency under that determination shall be the amount that is equivalent under section 1 of the Decimal Currency Act 1967 to the corresponding total amount in the old currency or, if the equivalent amount would not be a multiple of whole new pence, the next larger amount in whole new pence.

Sealed with the Official Seal of the Ministry of Health and Social Services for Northern Ireland this 15th day of December 1970.

(L.S.)

C. G. Oakes,
Assistant Secretary.

(m) 1969. c. 19.

SCHEDULE Regulation 8(2)

METHOD OF CALCULATING IN CERTAIN CASES THE AMOUNT IN NEW PENCE CORRESPONDING TO AN AMOUNT IN SHILLINGS AND PENCE

The amount in the new currency corresponding to an amount in shillings, shillings and pence or pence shall be calculated as follows—

(*a*) for any whole two shillings or multiple thereof the corresponding amount in the new currency shall be taken to be ten new pence or that multiple thereof; and

(*b*) for any amount or remaining amount of less than two shillings shown in column 1 of the following Table the corresponding amount in the new currency shall be taken to be the amount (if any) in new pence shown opposite that amount in column 2 of that Table (and accordingly an amount or remaining amount of one penny shall be disregarded).

TABLE

Amount in old currency	Corresponding amount in new pence
1d	—
2d	1p
3d	1p
4d	2p
5d	2p
6d	3p
7d	3p
8d	3p
9d	4p
10d	4p
11d	5p
1s 0d	5p
1s 1d	5p
1s 2d	6p
1s 3d	6p
1s 4d	7p
1s 5d	7p
1s 6d	7p
1s 7d	8p
1s 8d	8p
1s 9d	9p
1s 10d	9p
1s 11d	10p

EXPLANATORY NOTE

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

These regulations come into force on 15th February 1971, the "appointed day" for the purposes of the Decimal Currency Act 1967. They amend provisions of the Supplementary Benefits &c. Act (Northern Ireland) 1966 ("the 1966 Act") and of regulations made thereunder and make other provisions facilitating, in connection with supplementary pensions and allowances, the introduction on that day of the new currency by the Decimal Currency Act 1967.

Regulation 1 is formal. Regulation 2 amends Schedule 2 to the 1966 Act to the extent of changing various specified amounts relevant to the calculation of requirements and resources into amounts in the new currency. Regulations 3 and 4 similarly amend regulations having effect under the 1966 Act; they also provide for the elimination of fractions of a new penny in making such calculations (and from benefit payments) and they provide for cases affected by repealed legislation referred to in Schedule 6 (transitional provisions) to the 1966 Act.

Regulations 5 to 8 relate to transitional matters. Regulation 5 provides for the decimalisation—without review procedure—of benefit determinations made before the appointed day, so far as they extend into the "conversion period", (the period of two years beginning on the appointed day). Regulations 6 and 7 authorise determinations in the conversion period to be made by way of continuing (regulation 6) or adjusting (regulations 6 and 7) the total amount of the benefit under an expiring award (regulation 6) or one being revised (regulation 7), instead of by way of recalculating the amount under Schedule 2 to the 1966 Act taking into account the operation of regulations 2 and 3. Regulation 8 provides for money payments of benefit to be made in the new currency, for the conversion into the new currency for the purpose of calculating benefit entitlement of certain amounts relevant for that purpose but still expressed in the old currency, and for the conversion of the total of any benefit in respect of weeks before the appointed day into an amount in the new currency.

1970. No. 328

The Electricity (Emergency Restrictions) Revocation Order (Northern Ireland) 1970

This Order revoked the temporary Orders numbered 318, 319, 320.