

# AN BILLE LEASA SHOISIALAIGH, 1975 SOCIAL WELFARE BILL, 1975

# EXPLANATORY MEMORANDUM

1. This Bill is designed to give effect to the increases in the rates of payment and other improvements in the schemes of Social Assistance and Social Insurance announced in the Budget statement on 15th January, 1975. The Bill also provides for consequential matters including the increases in the rates of social insurance contributions required and in the rates of contribution and payment under the occupational injuries benefit scheme. Included in the Bill are some miscellaneous provisions aimed at improving the social welfare code.

#### Social Assistance

2. Section 2 of the Bill provides for an increase of £1.55 to £8.85 in the maximum personal weekly rate of old age (non-contributory) and blind pensions payable to a person aged less than 80 years who has no dependants. For such a person aged 80 years or more the increase will be £1.70 to £9.55. The maximum rate of payment in respect of an adult dependant under 67 years will be increased by 75p to £4.40 a week. For pensioners who have qualified children, the rates will be increased by £2.35 a week (an extra 40p) for each of the first two children and by £1.80 a week (an extra 30p) for the third and each other child. The allowance payable in respect of a prescribed relative giving full-time care and attention to an incapacitated pensioner is being increased by 80p to £4.95 a week. The new maximum rates of pension will be payable where weekly means do not exceed £6 instead of £5 and the scale of means and rates of pension has been revised and extended accordingly to provide additional rates of pension. In the case of a married couple each is assessed with half the means of the couple and, accordingly, each may qualify for maximum pension where their total weekly means do not exceed £12 and reduced pension will be payable where their total weekly means do not exceed £28. Persons without dependants will qualify for reduced rates of pension if their weekly means are not more than £14. If they have qualified children, the means limits are even higher. The new table of weekly means and rates of pension is shown as Table A in the Section and subsections (1) and (2) of the Section will enable the table to be extended to cases where the means are not shown in the table.

The maximum rate of increase in pension in respect of an adult dependant, viz., £4.40 a week, will be payable where the weekly means of the pensioner do not exceed £6 and reduced rates will be payable where the weekly means exceed that figure. The new table of weekly means and rates of increases in respect of adult dependants is given as Table B in the Section. The new rates will be payable from Friday, 4th April, 1975.

Section 9 provides for an increase in the weekly rate of old age (care) allowance from £4.15 to £4.95 with effect from Thursday, 3rd April, 1975.

3. Section 3 provides for increases of £1.35 in the personal weekly rate of unemployment assistance in urban areas and of £1.30 in the rate applicable for rural areas, bringing them to £7.70 and £7.35 respectively. The weekly rates for adult dependants will be increased by 95p bringing them to £5.55 (urban) and £5.45 (rural). Where

there are dependent children, the rates will be increased by £2.35 a week (an extra 40p) for each of the first two children and by £1.80 a week (an extra 30p) for the third and each other child as in the case of old age (non-contributory) pensions. These new rates will be effective from the 2nd April, 1975, and payment will be made in arrears from the 10th April, 1975. The new table of maximum rates of unemployment assistance is given in the Section.

4. Section 4 provides for an increase of £1.55 a week in the personal rate of widows' (non-contributory) pensions bringing the maximum rate up to £8.85. The rate of payment for each child will be increased by 55p making the new rate £2.95 a week for each child. These increases will operate from Friday, 4th April, 1975. As in the case of old age (non-contributory) pensions, the scale of means limits and rates of pension is being altered to allow payment of the maximum pension where the weekly means do not exceed £6 with reduced rates of pension payable where the widow's weekly means are not more than £14 if she has no qualified child. Higher means limits apply for widows who have qualified children. The new table of weekly means limits and rates of pension is given in the Section and, as in the case of old age pensions, the rates shown include the increases in respect of qualified children where applicable. Provision is made to extend the table to cover cases where means are not shown in the table. The new rates will apply to deserted wife's allowances, to allowances for unmarried mothers and to the allowances for prisoners' wives from Thursday, 3rd April, 1975.

Section 6 provides for increases of £1.00 in the rates of orphans' (non-contributory) pensions making the new maximum pension £5.75 a week. The new table of weekly means limits and rates of pension is given in the Section and will operate from Friday, 4th April, 1975.

- 5. The Budget included provision that the easement of the means tests for old age (non-contributory) pension and widow's (non-contributory) pension (to which are related the means tests for allowances to deserted wives, unmarried mothers and prisoners' wives) was to be confined to means in the form of current income. The effect of Section 5 will be that the increase of £1 a week in the amount of assessed means disregarded for the purposes of the pensions and allowances mentioned above will not apply in relation to means derived from ownership of capital where the amount of means assessed from this source is £1 a week or more.
- 6. Section 7 provides for increases of 30p a month in the rates of children's allowances for the second and each subsequent child in families and will take effect from the 1st April, 1975. This will make the monthly rates, £2.30 for a one-child family, £5.90 for a two-child family and £10.25 for a three-child family with a further £4.35 for each additional child.
- 7. Section 8 provides for an increase of £1.35 to £7.70 in the maximum weekly rate of single woman's allowance. The scale of means and rates of allowance has been revised and extended to provide additional rates of allowance and reduced rates of allowance will be payable where the single woman's weekly means are not more than £8. The new table of weekly means limits and rates of allowance is given in the Section and the new rates will apply from Thursday, 3rd April, 1975.

### Reduction of Pensionable Age

8. Section 10 provides for the reduction to age 67 of the qualifying age for old age pensions both contributory and non-contributory. As a direct consequence, the upper age limit for liability for payment of social insurance contributions and for qualification under other schemes of social assistance and social insurance is also being reduced to age 67. The change will apply from the 1st

April, 1975. Because of the reduction of pensionable age to 67, the requirement that in order to qualify for old age (contributory) pension a person must have entered insurance before reaching age 60 is being altered to require that a person who attains the age of 56 years on or after the 1st April, 1975, must have entered insurance before attaining the age of 57 in order to qualify for pension. The Section includes in subsection (5) saver clauses to protect the position of persons who have already qualified for old age (contributory) pensions, widows' (contributory) pensions or deserted wife's benefit or who within the period up to the beginning of 1977, might be adversely affected in qualifying for the pensions or benefit mentioned by reason of the reduction in pensionable age.

### Social Insurance

9. Section 11 provides for increases in the weekly rates of social insurance benefits. The personal rates of disability and unemployment benefit and invalidity pension are being increased by £1.65 a week with an extra £1.05 in each case for an adult dependant, 45p for each of the first two qualified children and 40p for the third and each other child. The Section also provides for an increase of £1.65 in the rate of maternity allowance. In the case of widow's (contributory) pension and deserted wife's benefit, the increase is £1.70 in the basic rate with a further 60p for each qualified child-where a widow is over 80 years of age, the increase is £1.80. An increase of £1.20 in the rate of orphan's (contributory) allowance is provided. In the case of old age (contributory) pensions and retirement pensions, there are increases of £2.00 in the personal rates of pension with an extra £1.15 for adult dependants, 45p for each of the first two qualified children and 40p for the third and each other child. Where the adult dependant is 67 years of age or over, an additional increase of 25p a week will be payable. Increases of 80p a week to £4.95 in the allowances payable in respect of prescribed relative giving full-time care and attention to incapacitated pensioners are also provided in the Section.

The following table shows the effects of these increases on the principal rates of benefit payable:

Later Property Train   Train   Employed   Train   Trai	Present Rate	Proposed Rate
Disability and Unemployment Benefit, Invalidity Pension:	£	Ota £ mon
Personal Rate	7-75	9-40
Married Couple	12.80	15.50
Deserted Wife's Benefit:	target on inferior	l. Persona emp
Personal Rate	7.80	9.50
Maternity Allowance	7.75	9-40
Widow's (Contributory) Pension:	act of se	evice with
Personal Rate (under age 80)	7.80	9.50
Personal Rate (aged 80 or over)	8-40	10-20
Orphan's (Contributory) Allowance	5.70	6.90
Old Age (Contributory) Pension, Retirement Pension:	Mely sma	number
Personal Rate (under age 80)	8.50	10-50
Personal Rate (aged 80 or over)	9-10	11.10
Married Couple (pensioner under age 80):	sion and	death gra
(i) where adult dependant is under age 67	14.00	17-15
(ii) where adult dependant is aged 67 or over	15.00	18-40
Married Couple (pensioner age 80 or over):	dompulsor henbithed	bekedi le
(i) where adult dependant is under age 67	14-60	17-75
(ii) where adult dependant is aged 67 or over	15-60	19-00

The increases in rates of disability and unemployment benefit and maternity allowance will be operative from Monday, 7th April, 1975; the increases in the rates of old age and widow's (contributory) pension and orphan's (contributory) allowance from Friday, 4th April, 1975, and in rates of deserted wife's benefit, invalidity and retirement pension from Thursday, 3rd April, 1975.

10. Section 12 provides for increases in the special rates of unemployment benefit which are payable in certain circumstances where unemployment continues beyond 156 days. These rates are linked with the urban rates of unemployment assistance which are being increased under Section 3 of the Bill and the increases proposed, £1.35 in the basic rate, 95p in the rate for an adult dependant, 40p for each of the first two qualified children and 30p for the third and each other child, are designed to retain this parity. They will operate from Monday, 7th April, 1975.

11. Section 13 provides for increased rates of employment contributions which will be required to meet the employer's and insured person's share of the cost of improved benefits, pensions and allowances payable under the social insurance system. The overall increase in the case of contributions which count for all the benefits involved is 93p, of which the employer will pay 63p and the employee 30p. Lesser increases will apply where the rates of contribution do not cover all benefits.

This Section also provides for a special contribution increase of 31p to help to meet expenditure arising from the current exceptional unemployment situation. Employers will bear 21p and employees 10p of this special increase, which will apply until 4th April, 1976, and will be included in all contributions reckonable for unemployment benefit, viz. those numbered 1, 2, 4 and 5 in the table below.

The principal existing and proposed new rates of employment and voluntary contributions (excluding the contributions, where payable, in respect of occupational injuries, redundancy and health) are as follows:—

prisoneni' wive	i) was	Present Rate			Proposed Rate		
Class	Sex	Carlotte Carlotte					
pasodone 7 Mason	he un	Employer	Employee	Total	Employer	Employee	Total
	ponsi	£	£	£	£	£	£
1. Ordinary	Man	1.63	1.24	2.87	2.47	1.64	4-11
	Woman	1.61	1-18	2.79	2.45	1.58	4-03
2. Agricultural	Man	1-49	1-12	2.61	2.33	1.52	3.85
	Woman	1-47	0.98	2.45	2.31	1.38	2.69
3. Persons employed	nonleigh	on Course	of Persons	of 35	a discon	Igua) bo	Marr
part-time in	- Land	es for t	har cherry	A sad	V. saliforns	BalahiW-I	Shelerte
sharefishing and	and the	See office	o fands		Second.	rots T	from sold
out-workers (other	W. A.	NO CHO	of the or	A A A	to be the	Staff July	OFTOTT "
than male weavers)	dry re	1.46	1.02	2-48	2.00	1.27	3-27
4. Female Domestics	L aba	1.89	1.17	3-06	2.73	1.57	4-30
14.30 lon each	BOCHILL	DBI CUM			utory) Per	s (Coatrib	Widow
5. Soldiers		1.61	1.15	2.76	2.45	1.55	4-00
6. Ministers of religion	provid	1.46	1.02	2.48	2.00	1.27	3-27
mekokum soké	ly rat	of sin	gie won	E CONTENTS	il OWhous	nabilitie.c	O MERSO
7. Civil Servants,	es bi	illowand	e has b		vised at	nd Extra	MISSLA
Teachers, Local Authority Officials,	nal rai	es of a	lowance		reduced	TRIES OF	
etc	Man	0-37	0-27	0-64	0-50	0.33	0.83
mod more floor	Woman	0-37	able of	0-37	0-50	In the	0-50
0.1/4	200	In the	Correni		DEC PERMIT		
8. Voluntary Contributors (low	E.L.		700		aged 80 of	nul Rate	
rate)	Pale A	White es	0-64	0-64	_	0.83	0-83
			: (08 ogs)		(pension	ed Coupli	
9. Voluntary Contributors (high	lension		Sano mb		bearing the	abor sendor	
rate)		ing Avery	1.67	1.67	0.00	2-17	2-17
1.01-81	Labor.	1000	Ma To box	ungis as	in depend	bu mariw	

The increased rates of voluntary contributions are provided for in Section 14.

Contributions payable in respect of occupational injuries insurance

which are 11p for a man and 8p for a woman, all borne by the employer, are being increased to 12p and 9p respectively. (See paragraph 12).

The increases in contribution rates will be effective from Monday, 7th April, 1975.

12. Section 15 provides for increases of various benefits under the occupational injuries scheme to keep them in line with the increased rates of benefits under the social insurance system. The basic weekly rates of injury benefit and disablement pension for 100 per cent disablement are being increased by £2.30. Proportionate increases are made in disablement pension for degrees of disablement below 100 per cent. Unemployability supplement and payments for adult and child dependants are being increased so as to maintain the existing parity of these payments with disability and unemployment benefit rates. Death benefit pensions for widows and invalided widowers under the scheme are being increased by £2.15 with an additional 60p for each qualified child. The higher rate pension payable to one dependent parent is also being increased by £2.15 and the lower rate parent's pension by 95p. Orphans' pensions under the scheme are being increased by £1.30. Disablement gratuity is being increased from £740 to £900 and widower's gratuity is being increased from £528 to £639.

Section 15 also provides that the rates of weekly employment contributions for occupational injuries insurance purposes, which are payable by employers only, will be increased by one new penny from 11p for a man and 8p for a woman to 12p and 9p respectively.

The new rates of death benefit pensions for widows or invalided widowers (including increases for dependent children), parents and orphans and widower's gratuity will be operative from Friday, 4th April, 1975. The other new benefit rates will be payable from Monday, 7th April, 1975.

13. The Minister for Finance in his Budget statement on 15th January, 1975, indicated that in line with the commitment contained in the White Paper "A National Partnership", the weekly rates of benefit, allowance, pension and assistance would be further increased from October, 1975, following a review in the light of the rise in the cost of living. Section 16 provides that the Minister for Social Welfare may, with the consent of the Minister for Finance, vary by regulations all or any of the rates of benefit, allowance, pension or assistance payable under the social welfare code.

#### Miscellaneous Provisions

14. Section 17 is designed to rectify a situation which arose following the abolition with effect from 1st April, 1974, of the remuneration limit for compulsory insurability of non-manual workers. The abolition of the remuneration limit had the effect of bringing all non-manual workers employed under a contract of service within the scope of the Social Welfare Acts. Accordingly, persons employed in the public sector (civil servants, officers of local and other public authorities, etc.) became compulsorily insurable irrespective of their rate of remuneration for widows' and orphans' pensions, deserted wife's benefit and occupational injuries benefit and for no other benefit or pension under the Social Welfare Acts. A relatively small number of persons who were employed in the public sector on 31st March, 1974, had by reason of earlier employment acquired entitlement to be voluntary contributors at the higher rate which also gives cover for old age (contributory) pension, retirement pension and death grant. Under existing legislation a voluntary contributor who becomes an employed contributor ceases to be a voluntary contributor. Thus the persons employed in the public sector who had been voluntary contributors at the higher rate and who became compulsorily insurable from 1st April, 1974, for a limited range of benefits ceased to be entitled to be voluntary contributors and were precluded from continuing their insurance cover for old age (contributory) pension, retirement pension and death grant.

Section 17 provides that such persons may continue to be entitled to be voluntary contributors paying contributions reckonable for the benefits mentioned.

15. Section 18 provides for a minor extension of the scope of the School Meals Scheme operated by urban local authorities under the Education (Provision of Meals) Acts, 1914 to 1930, as amended by Section 3 of the Social Welfare (Miscellaneous Provisions) Act, 1957. Under existing legislation county borough councils, urban district councils and town commissioners may make arrangements for the provision of meals for children attending national schools in their areas. If the schools happen to be situated outside the functional area of the local authority, the children are precluded from receiving school meals under the Scheme although the majority of the children may be living in the urban area or in dwellings outside the area which are owned or have been provided by the local authority in question. The section provides that where an urban local authority is satisfied that not less than one-half of the children attending a national school situated outside the authority's functional area reside either in that area or outside that area in dwellings owned or provided by the authority, the local authority may determine that school meals may be provided in that national school under the Scheme as if it were situated in the authority's functional area.

16. Section 1 contains the necessary definitions and Section 19 the usual provisions for short title, construction and collective citation.

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