Chapter B1: Payment of UC, PIP, ESA and JSA

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Chapter B1: Payment of UC, PIP, ESA and JSA

Scope of Chapter

B1001 This Chapter gives guidance on when and how payments of
1. UC
2. PIP
3. new style ESA (hereafter referred to as ESA)
4. new style JSA (hereafter referred to as JSA)

are made.

Note 1: ADM Chapter M1 contains guidance on the meaning of new style ESA and new style JSA.

Note 2: DMG Chapter 08 contains guidance on when and how payments are made for benefits other than those listed above.

When this guidance applies from

PIP

B1002 This guidance applies to payments of PIP made from and including 8.4.13\(^1\).  

UC, ESA and JSA

B1003 This guidance applies to payments of
1. UC
2. ESA
3. JSA

made from and including 29.4.13\(^1\).

When UC, PIP, ESA and JSA payments are made

Time of payment

General

B1004 Subject to B1005 to B1173, UC, PIP, ESA and JSA must be paid in accordance with an award as soon as reasonably practicable after the award has been made\(^1\).
How UC, PIP, ESA and JSA payments are made

Direct credit transfer

Payments of UC, PIP, ESA or JSA are paid by DCT into a bank or other account nominated by 1

1. the person entitled to the benefit or
2. a person acting on their behalf under specified legislation 2 (see Part 5 of the Agents, Appointees, Attorneys and Deputies Guide) or
3. a person referred to in specified legislation 3 (eg. persons appointed to act under mental capacity law – see Parts 2, 3 and 4 of the Agents, Appointees, Attorneys and Deputies Guide).

HM Government Payment Exception Service

HM Government Payment Exception Service (HMGPES) is an alternative short-term payment method available in exceptional circumstances to pay benefits to customers who are unable to be paid by any other method. See operational guidance for further details.

ESA and JSA payments

ESA and JSA payments are to be paid by DCT within 7 days of the last day of each successive period of entitlement 1.

Example 1

Robin is in receipt of ESA. He is entitled to a payment for the period from 8 November to 21 November. That payment should be credited to Robin’s bank account within 7 days of 21 November. Robin’s next payment for the period from 22 November to 5 December should be credited to his bank account within 7 days of 5 December.

Example 2

Lisa is in receipt of JSA. She is entitled to a payment for the period from 10 July to 23 July. That payment should be credited to Lisa’s bank account within 7 days of 23 July. Lisa’s next payment for the period from 24 July to 6 August should be credited to her bank account within 7 days of 6 August.
When and how UC payments are made

Period and timing of UC payments

B1021 [See memo ADM 26/17] [See memo ADM 5/18] Except where the DM arranges otherwise, UC is payable monthly in arrears in respect of each assessment period\(^1\).

\(^1\) UC, PIP, JSA & ESA (C&P) Regs, reg 47(1)

B1022 UC is to be paid by DCT within 7 days of the last day of the assessment period. However, if it is not possible to do so, it must be paid as soon as reasonably practicable afterwards\(^1\).

**Note 1:** Operational guidance on the limited circumstances when a claimant may be paid UC other than monthly is available.

**Note 2:** ADM Chapter E2 contains further guidance on assessment periods for UC.

\(^1\) UC, PIP, JSA & ESA (C&P) Regs, reg 47(2)

Example

Ian is entitled to a UC payment for the monthly assessment period from 2 October to 1 November. That payment should be credited to his bank account within 7 days of 1 November.

Payments of UC at other times

B1023 The DM may make UC payments by DCT and other than in accordance with B1022, if it appears appropriate to do so for the purpose of

1. paying any arrears of benefit or

2. making a payment in respect of a terminal period of an award (see B1027 for guidance on when this arises) or

3. for any similar purpose\(^1\).

\(^1\) UC, PIP, JSA & ESA (C&P) Regs, reg 47(3)

Payment of UC to joint claimants

Nomination of bank or other account

B1024 UC joint claimants may nominate a bank or other account into which that benefit is to be paid\(^1\). Where they have not done so, the DM may nominate a bank or other account on their behalf\(^2\).

\(^1\) UC, PIP, JSA & ESA (C&P) Regs, reg 47(4); 2 reg 47(5)
Which member of the couple may receive UC payments

B1025 UC payments made to joint claimants may be paid wholly to only one member of the couple, if the DM considers it to be in the interests of

1. the claimants or
2. a child or a qualifying young person for whom the claimant or their partner or both are responsible or
3. a severely disabled person, where the claimant's UC award includes, by virtue of specified legislation, an amount in respect of the fact that a claimant has regular and substantial caring responsibilities for that severely disabled person.

Note 1: Operational guidance on deciding which member of a couple may receive payments of UC is available.

Note 2: ADM Chapter F1 contains further guidance on being responsible for a child or qualifying young person.

Note 3: ADM Chapter F6 contains further guidance on the meaning of a severely disabled person and regular and substantial caring responsibilities.

Splitting UC payments between the couple

B1026 UC payments made to joint claimants may be split between the couple, in such a proportion as the DM sees fit, if it is in the interests of

1. the claimants or
2. a child or a qualifying young person for whom the claimant or their partner or both are responsible or
3. a severely disabled person, where the claimant's UC award includes, by virtue of specified legislation, an amount in respect of the fact that a claimant has regular and substantial caring responsibilities for that severely disabled person.

Note: Operational guidance on the splitting of UC payments between the couple is available.

UC claimant claims SPC in advance

B1027 Where a UC claimant reaches the qualifying age and makes an advance claim for SPC, the award of UC is superseded in accordance with specified legislation. With effect from the date the claimant reaches that qualifying age, the amount payable in

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1 SSA Act 92, s 5(3B); UC, PIP, JSA & ESA (C&P) Regs, reg 47(6); 2 WR Act 12, s 40; 3 UC Regs, reg 5; 4 UC Regs, reg 29
respect of the last assessment period, if it is a period of less than 1 month, is to be calculated as follows:

\[ N \times \left( \frac{A \times 12}{365} \right) \]

For the purposes of this formula

- \( N \) = the number of days in the period and
- \( A \) = the amount calculated in relation to that period as if it were an assessment period of 1 month\(^3\).

Example

Bruce is entitled to UC amounting to £311.55 per assessment period and is due to be paid for the period from 3 December to 2 January. He has made an advance claim for SPC as he will reach qualifying age on 16 December. The UC award is superseded from and including 16 December. The amount of UC payable in respect of the last assessment period is calculated (using the above formula) as follows:

- \( N \) = 13 (period from 3 December to 15 December)
- \( A \) = £311.55 (monthly UC entitlement)

Calculation = 13 \times (\£311.55 \times 12) ÷ 365 = £133.16

Bruce is entitled to UC amounting to £133.16 in respect of the last assessment period.

B1028 - B1040

When and how PIP payments are made

Period of PIP payments

- B1041 Subject to B1042 to B1043 and B1047, PIP is payable at intervals of 4 weeks in arrears\(^1\).

Claimant suffering from a terminal illness

- B1042 Where a claimant is suffering from a terminal illness and has been awarded PIP under relevant legislation\(^1\), the DM may arrange for it to be paid at intervals of one week in advance\(^2\).
Note: ADM Chapter P2 contains further guidance on terminally ill claimants.

1 WR Act 12, s 82; 2 UC, PIP, JSA & ESA (C&P) Regs, reg 48(2)

Amount of PIP less than £5.00 a week

B1043 Where the amount of PIP payable is less than £5.00 a week, the DM may arrange for it to be paid in arrears at intervals not exceeding 12 months.

1 UC, PIP, JSA & ESA (C&P) Regs, reg 48(3)

PIP pay day

B1044 Subject to B1045 to B1046, PIP is payable on the day of the week on which the DM makes a decision to award that benefit. However, where the decision to award PIP is made on a Saturday or Sunday, the benefit is to be paid on such day of the week as the DM may direct in any case.

1 UC, PIP, JSA & ESA (C&P) Regs, reg 49(1)

Payments of PIP at a daily rate

B1045 Where there is a change in the day on which PIP is payable, it must be paid at a daily rate of $\frac{1}{7}$ of the weekly rate in respect of any of the days for which payment would have been made but for that change.

1 UC, PIP, JSA & ESA (C&P) Regs, reg 49(3)

B1046 Where
1. the amount of PIP payable changes or
2. entitlement to PIP ends
and these events do not occur on the day of the week referred to in B1044, PIP will be paid at a daily rate of $\frac{1}{7}$ of the weekly rate.

1 UC, PIP, JSA & ESA (C&P) Regs, reg 49(4)

Payments of PIP at a daily rate between periods in hospital or other accommodation

General

B1047 For any day falling within a period to which specified legislation applies, PIP is payable at a daily rate (which is equal to $\frac{1}{7}$ of the weekly rate) and is to be paid weekly or as the DM may otherwise direct.

Note: ADM Chapter P4 contains further guidance on payments of PIP in these circumstances.

1 UC, PIP, JSA & ESA (C&P) Regs, reg 50(2); 2 reg 50(1)
When and how ESA payments are made

Period and timing of ESA payments

B1061 Subject to B1063 to B1068, ESA is paid by DCT fortnightly in arrears on the day determined in accordance with B1062.

1 UC, PIP, JSA & ESA (C&P) Regs, reg 51(1)

ESA pay day

B1062 The day specified for the purposes of B1061 is determined by the last 2 digits of the claimant’s NINO as shown in the following table.

<table>
<thead>
<tr>
<th>NINO - last 2 digits</th>
<th>ESA pay day</th>
</tr>
</thead>
<tbody>
<tr>
<td>00 to 19</td>
<td>Monday</td>
</tr>
<tr>
<td>20 to 39</td>
<td>Tuesday</td>
</tr>
<tr>
<td>40 to 59</td>
<td>Wednesday</td>
</tr>
<tr>
<td>60 to 79</td>
<td>Thursday</td>
</tr>
<tr>
<td>80 to 99</td>
<td>Friday</td>
</tr>
</tbody>
</table>

1 UC, PIP, JSA & ESA (C&P) Regs, reg 51(2)

Example

Ronnie’s NINO is WK071016B. His ESA pay day is Monday.

Change to ESA payment period

B1063 In certain circumstances, the DM may arrange for the claimant to be paid ESA otherwise than fortnightly.

Note: Operational guidance on the circumstances when a claimant may be paid ESA other than fortnightly is available.

1 UC, PIP, JSA & ESA (C&P) Regs, reg 51(3)

Payments of ESA at other times

B1064 The DM may make a payment of ESA by DCT and other than as in B1061, if it appears appropriate to do so for the purpose of

1. paying any arrears of benefit or
2. making a payment in respect of a terminal period of an award or
3. for any similar purpose.

1 UC, PIP, JSA & ESA (C&P) Regs, reg 51(4)
Change to ESA pay day

B1065  The DM may, in any particular case or class of case, arrange that ESA is paid on any day of the week. Where the day on which ESA is payable is changed, it must be paid at a daily rate of $1/7$ of the weekly rate for any days for which payment would have been made, but for that change.\(^1\)

Note: Operational guidance on the payment of ESA on any day of the week is available.

$1$ UC, PIP, JSA & ESA (C&P) Regs, reg 51(5)

Payments of ESA less than £1.00 a week

B1066  Where the weekly amount of ESA is less than £1.00 it may be paid in arrears at intervals of not more than 13 weeks.\(^1\)

$1$ UC, PIP, JSA & ESA (C&P) Regs, reg 51(6)

Payments of ESA less than 10 pence a week

B1067  Where the weekly amount of ESA is less than 10 pence, that allowance is not payable.\(^1\)

$1$ UC, PIP, JSA & ESA (C&P) Regs, reg 51(7)

Payments of ESA affected by office closure

B1068  Where ESA is normally paid in arrears and payment would be affected by office closure, the DM may decide to make the payment, for that benefit week, on any day either

1. wholly in advance or
2. partly in advance and partly in arrears\(^1\)

in which case, it will for any other purposes, be treated as if it were paid in arrears.\(^2\)

$1$ UC, PIP, JSA & ESA (C&P) Regs, reg 51(8); 2 reg 51(9)

Definition of “benefit week”

B1069  For the purpose of B1068, benefit week means a period of 7 days beginning or ending with such day as the DM may direct.\(^1\)

$1$ UC, PIP, JSA & ESA (C&P) Regs, reg 51(10)

Definition of “office closure”

B1070  For the purposes of B1068, office closure means a period during which an appropriate office is closed in connection with a public holiday.\(^1\)
Note: ADM Chapter A2 contains further guidance on the meaning of appropriate office.

1 UC, PIP, JSA & ESA (C&P) Regs, reg 51(11)

Definition of “public holiday”

B1071 For the purposes of B1070, public holiday means¹

1. in England and Wales
   1.1 Christmas Day or
   1.2 Good Friday or
   1.3 a Bank Holiday under specified legislation² or

2. in Scotland
   2.1 a Bank Holiday under specified legislation³ or
   2.2 a local holiday.

1 UC, PIP, JSA & ESA (C&P) Regs, reg 51(12); 2 Banking & Financial Deals Act 1971 s 1 & Sch 1;
3 Banking & Financial Deals Act 1971 s 1 & Sch 1

B1072 - B1100

When and how JSA payments are made

Period of JSA payments

B1101 Unless the DM arranges otherwise and subject to B1102 to B1105, JSA is paid fortnightly in arrears¹.

Note: Operational guidance on the circumstances when a claimant may be paid JSA other than fortnightly in arrears is available.

1 UC, PIP, JSA & ESA (C&P) Regs, reg 52(1)

Payments of JSA at other times

B1102 The DM may make a payment of JSA by DCT and other than as in B1101, if it appears appropriate to do so for the purpose of

1. paying any arrears of benefit or
2. making a payment in respect of a terminal period of an award or
3. for any similar purpose¹.

1 UC, PIP, JSA & ESA (C&P) Regs, reg 52(2)
Payments of JSA less than £1.00 a week

B1103 Where the amount of JSA is less than £1.00 a week, the DM may direct that it is to be paid at intervals not exceeding 13 weeks\(^1\).

\(^1\) UC, PIP, JSA & ESA (C&P) Regs, reg 52(3)

Payments of JSA less than 10 pence a week

B1104 Where the weekly entitlement of JSA is less than 10 pence a week, that allowance is not payable\(^1\).

\(^1\) JSA Regs 13, reg 52

Payments of JSA affected by office closure

B1105 Where JSA is normally paid in arrears and payment would be affected by office closure, the DM may decide to make the payment, for that benefit week, on any day either

1. wholly in advance or
2. partly in advance and partly in arrears\(^1\)

in which case, it will for any other purposes, be treated as if it were paid in arrears\(^2\).

\(^1\) UC, PIP, JSA & ESA (C&P) Regs, reg 52(4); \(^2\) reg 52(5)

Definition of “benefit week”

B1106 For the purpose of B1105, benefit week means\(^1\) a period of 7 days ending with a day which is determined by the last 2 digits of the claimant’s NINO as shown in the following table\(^2\).

<table>
<thead>
<tr>
<th>NINO - last 2 digits</th>
<th>JSA pay day</th>
</tr>
</thead>
<tbody>
<tr>
<td>00 to 19</td>
<td>Monday</td>
</tr>
<tr>
<td>20 to 39</td>
<td>Tuesday</td>
</tr>
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</tr>
</tbody>
</table>

\(^1\) UC, PIP, JSA & ESA (C&P) Regs, reg 52(6); \(^2\) JSA Regs 13, reg 2(2)

Example

Julie’s NINO is NM231142A. Her JSA pay day is Wednesday.
Definition of “office closure”

B1107 For the purposes of B1105, office closure means a period during which an appropriate office is closed in connection with a public holiday.

Note: ADM Chapter A2 contains further guidance on the meaning of appropriate office.

1 UC, PIP, JSA & ESA (C&P) Regs, reg 52(7)

Definition of “public holiday”

B1108 For the purposes of B1107, public holiday means:

1. in England and Wales
   1.1 Christmas Day or
   1.2 Good Friday or
   1.3 a Bank Holiday under specified legislation or
2. in Scotland
   2.1 a Bank Holiday under specified legislation or
   2.2 a local holiday.

1 UC, PIP, JSA & ESA (C&P) Regs, reg 52(8); 2 Banking & Financial Dealings Act 1971 s 1 & Sch 1; 3 Banking & Financial Dealings Act 1971 s 1 & Sch 1

Fractional amounts of UC, PIP, JSA and ESA

B1121 Where, at the end of a calculation, an amount of UC, PIP, JSA or ESA which is payable includes a fraction of a penny, that fraction is to be disregarded if it is less than half a penny. If it is half a penny or more it is treated as a penny.

1 UC, PIP, JSA & ESA (C&P) Regs, reg 53

Payments of UC, PIP, JSA and ESA to claimants under age 18

B1122 Where UC, PIP, JSA or ESA is paid by DCT or by some other means, to a claimant under the age of 18, this is sufficient to discharge the DM’s liability to make payment.

1 UC, PIP, JSA & ESA (C&P) Regs, reg 54
Failure to obtain payment within 12 months

General

B1131 Subject to B1134, a claimant’s right to a payment of benefit ends if they do not obtain payment within 12 months of the date that right to payment arose. This rule also applies to a person appointed under specified legislation (see Part 5 of the Agents, Appointees, Attorneys and Deputies Guide) or referred to in specified legislation (eg. persons appointed to act under mental capacity law - see Parts 2, 3 and 4 of the Agents, Appointees, Attorneys and Deputies Guide).

1 UC, PIP, JSA & ESA (C&P) Regs, reg 55(1); 2 reg 55(5); 3 reg 57(1); 4 reg 57(2)

Right to payment - start of the 12 month period

B1132 A right to payment will arise where

1. a sum has been calculated and

2. notice is given or sent that the sum is ready for collection, on the date of that notice or, if more than one notice date is given or sent, the date of the first such notice (see also B1133) and

3. the DM has arranged for the sum to be paid by DCT on the due date for payment, or in the case of UC, the date of payment or

4. if neither 2. or 3. applies, on such date as the DM determines.

1 R(U) I/02; 2 UC, PIP, JSA & ESA (C&P) Regs, reg 55(2)

B1133 Giving or sending a notice as in B1132 is effective even where the sum contained in the notice is more or less than the sum which the person has the right to receive.

1 UC, PIP, JSA & ESA (C&P) Regs, reg 55(3)

Right to payment - extension of the 12 month period

B1134 Where a question arises as to whether the right to payment of any benefit has been extinguished and the DM is satisfied that

1. he first received written notice requesting payment of that sum after the expiration of 12 months from the date on which the right is to be treated as having arisen and

2. from a day within that period of 12 months and continuing until the day the written notice was given, there was good cause for not giving the notice and

3. no payment has been made by DCT

the period of 12 months is to be extended to the date on which the DM decides that question. This means that a new 12 month period starts on that date.
Note: DMG Chapter 02 contains further guidance on good cause.

Payment after claimant’s death

B1151 Subject to B1155 and B1156, where a person dies after making a claim for benefit, the DM may pay or distribute any benefit payable (subject to B1131 to B1134) to or amongst persons over the age of 16, appointed by the DM, who are
1. personal representatives or
2. legatees or
3. next of kin or
4. creditors
of the deceased.

Note: ADM Chapter A2 contains further guidance on the appointment of persons to act in the event of a claimant’s death.

B1152 Where
1. a deceased person had not obtained payment at the date of death and
2. right to payment was not extinguished

any sum payable may be paid or distributed as in B1151. Where the rules as in B1131 to B1134 apply, the period of 12 months is calculated from the date on which right to payment of any sum is treated as having arisen in relation to any person described in B1151.

B1153 Payment made by DCT or by some other means, to any person mentioned in B1151 is sufficient to discharge the DM’s liability to make payment.

B1154 Where the DM is satisfied that benefit payable in accordance with B1151 or B1152, or any part of it, is needed for the well-being of a person under the age of 16, the DM can pay that sum, or part of it, to a person over the age of 16, provided he is satisfied that that person will use it for the well-being of the person who is under the age of 16.

B1155 B1151 and B1152 do not apply unless written application for payment of any sum is made to the DM within 12 months from the date of the deceased’s death or within such longer period as the DM may allow in a particular case.
The DM does not require strict proof of title of any person listed in B1151.

Definition of “next of kin”

For the purposes of B1151, next of kin means:

1. in England and Wales
   1.1 the persons who would take beneficially on an intestacy and
2. in Scotland
   2.1 the persons entitled to the moveable estate of the deceased on intestacy.

Person unable to act

Person acting on claimant’s behalf

Where a person has been appointed to act on the claimant’s behalf and a payment is made by DCT to that person, this is sufficient to discharge the DM’s liability to make payment.

Note: ADM Chapter A2 and the Agents, Appointees, Attorneys and Deputies Guide contain further guidance on persons appointed to act on a claimant’s behalf.

Payment to another person on the claimant’s behalf

UC

The DM may direct that UC be paid either wholly or in part, to another person on the claimant’s behalf, if it is considered necessary to protect the interests of:

1. the claimant or
2. their partner or
3. a child or qualifying young person for whom the claimant or their partner or both are responsible for or
4. a severely disabled person, where the claimant’s UC award includes, by virtue of specified legislation, an amount in respect of the fact that the claimant has regular and substantial caring responsibilities for that severely disabled person.
**Note 1:** ADM Chapter F1 contains further guidance on being responsible for a child or qualifying young person.

**Note 2:** ADM Chapter F6 contains further guidance on the meaning of a severely disabled person and regular and substantial caring responsibilities.

1 UC, PIP, JSA & ESA (C&P) Regs, reg 58(1); 2 WR Act 12, s 40; 3 UC Regs, reg 5; 4 UC Regs, reg 29

**PIP**

B1173 PIP may be paid wholly to another person on the claimant’s behalf if it appears necessary to protect the claimant’s interests.

Note: Operational guidance on when this may apply is available.

1 UC, PIP, JSA & ESA (C&P) Regs, reg 58(2)

B1174 - B1999

The content of the examples in this document (including use of imagery) is for illustrative purposes only