1971. No. 284 [C]

NATIONAL INSURANCE AND INDUSTRIAL INJURIES

Classification, Contributions and Collection of Contributions

REGULATIONS, DATED 2ND SEPTEMBER 1971, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES, IN CONJUNCTION WITH THE MINISTRY OF FINANCE, UNDER THE NATIONAL INSURANCE ACTS (NORTHERN IRELAND) 1966 TO 1971 AND THE NATIONAL INSURANCE (INDUSTRIAL INJURIES) ACTS (NORTHERN IRELAND) 1966 TO 1971.

The Ministry of Health and Social Services, in conjunction with the Ministry of Finance so far as relates to matters with regard to which the Ministry of Finance has so directed, in exercise of powers conferred by sections 1(3), 8(5) and 10(1) of the National Insurance Act (Northern Ireland) 1966(**a**) and section 3(3)(*b*) of the National Insurance (Industrial Injuries) Act (Northern Ireland) 1966(**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 sections 101(3) and 80(2) respectively of those Acts:

Citation and commencement

1.—(1) These regulations may be cited as the National Insurance and Industrial Injuries (Classification, Contributions and Collection of Contributions) Amendment Regulations (Northern Ireland) 1971 and shall come into operation in the case of this regulation and regulation 3(4) on 6th September 1971, in the case of regulations 2 and 4 on 20th September 1971, in the case of regulation 3(2) and (5) on 27th September 1971 and in the case of the remainder of the regulations on 23rd September 1971.

(2) Each provision of these regulations which amends other regulations shall be read as one with the regulations which it amends.

Amendment of the National Insurance (Classification) Regulations (Northern Ireland) 1948

2. In Schedule 1(**c**) to the National Insurance (Classification) Regulations (Northern Ireland) 1948(**d**) (classification of insured persons)—

(*a*) for the sum "£4" in paragraphs 7 of column (B), 12(**e**) of columns (A) and (B), 37, 38, 40, 41, 43 to 48 and 50 to 56 of column (B) there shall be substituted the sum "£5·00", and

(*b*) for the sum "£2·00" in paragraph 22 of column (A) there shall be substituted the sum "£4·00".

Amendment of the National Insurance (Contributions) Regulations (Northern Ireland) 1962

3.—(1) The National Insurance (Contributions) Regulations (Northern Ireland) 1962(**f**) shall be amended in accordance with paragraphs (2) to (6).

(**a**) 1966. c. 6 (N.I.).
(**b**) 1966. c. 9 (N.I.).
(**c**) See Sch. to S.R. & O. (N.I.) 1957, No. 270.
(**d**) S.R. & O. (N.I.) 1948, No. 222.
(**e**) See reg. 2(3) of S.R. & O. (N.I.) 1969, No. 257.
(**f**) S.R. & O. (N.I.) 1962, No. 65.

(2) For regulation 3(2) (incapacity for work) there shall be substituted the following:

"(2) Notwithstanding anything contained in the foregoing provisions of this regulation—

(*a*) where industrial injury benefit is payable to an insured person under the Industrial Injuries Act in respect of a week of incapacity for work, that person shall be excepted from liability to pay a contribution under the Act, and a contribution as an employed person shall be credited to him for that week;

(*b*) subject to the proviso to this sub-paragraph, an insured person shall be excepted from liability to pay a contribution under the Act for any week which is a week of incapacity for work and in respect of which invalidity benefit is payable and a contribution shall be credited to him for that week as follows—

(i) as an employed person if, in respect of the last week which was a week of incapacity for work and in which he was entitled to sickness benefit, he was entitled to be credited with a contribution as an employed person;

(ii) in any other case, as a self-employed person:

Provided that, if in respect of any week for which invalidity benefit is payable to an insured person that person would but for the foregoing provisions of this sub-paragraph have been credited under paragraph (1) with a contribution as an employed person, he shall, notwithstanding the provisions of head (ii) of this sub-paragraph, be credited with such contribution for that week."

(3) In regulation 5 (determination of days of unemployment or incapacity for work)—

(*a*) in paragraph (3)(*a*) for the words "unemployment benefit and sickness benefit" there shall be substituted the words "unemployment benefit, sickness benefit and invalidity benefit" and in head (ii) of the proviso for the words "forty shillings" there shall be substituted the words "the specified amount";

(*b*) in paragraph (3)(*c*)(i) for the words "either unemployment benefit or sickness benefit" there shall be substituted the words "unemployment benefit, sickness benefit or invalidity benefit";

(*c*) in paragraph (3)(*c*)(ii) for the words "or sickness benefit" there shall be substituted the words ", sickness benefit or invalidity benefit";

(*d*) in paragraph (3)(*d*) for the words "or sickness benefit" there shall be substituted the words ", sickness benefit or invalidity benefit".

(4) In regulation 14(3) (certificates of exception) for the words from the beginning of the paragraph to and including the words "but any such person," there shall be substituted the words "Any person in respect of whom a certificate of exception has been granted and" and the word "nevertheless" shall be omitted.

(5) In the proviso to regulation 15(1) (conditions for the crediting of contributions) after the words "sickness benefit" there shall be added the words "or invalidity benefit".

(6) In regulation 29 (late paid contributions)—

(*a*) in the heading and in paragraph (1) for the words "or sickness" there shall be substituted the words ", sickness or invalidity", and

(*b*) in paragraph (2) for the word "aforesaid" there shall be substituted the words "of unemployment or sickness benefit".

Amendment of the National Insurance and Industrial Injuries (Collection of Contributions) Regulations (Northern Ireland) 1948

4. In regulation 10A(**g**) (contributions when no services are rendered) and in the proviso to regulation 11 (contributions during holidays) of the National Insurance and Industrial Injuries (Collection of Contributions) Regulations (Northern Ireland) 1948(**h**) for the sum "£4" there shall be substituted the sum "£5·00".

Sealed with the Official Seal of the Ministry of Health and Social Services for Northern Ireland this 2nd day of September 1971.

(L.S.) *D. W. Lowry,*
Assistant Secretary.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 2nd day of September 1971.

(L.S.) *C. F. Darling,*
Assistant Secretary.

(g) See reg. 2 of S.R. & O. (N.I.) 1959, No. 26.
(h) S.R. & O. (N.I.) 1948, No. 258.

EXPLANATORY NOTE

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

These regulations, by amending various paragraphs of Schedule 1 to the National Insurance (Classification) Regulations (Northern Ireland) 1948 and regulations 10A and 11 of the National Insurance and Industrial Injuries (Collection of Contributions) Regulations (Northern Ireland) 1948, raise the figure of weekly earnings in the case of certain insured persons in specified employments where classification is modified or where liability for contributions is determined by reference to their earnings.

The regulations also, by amending regulation 3(2) of the National Insurance (Contributions) Regulations (Northern Ireland) 1962, provide for an insured person to be excepted from liability to pay a contribution for any week which is a week of incapacity for work and in respect of which invalidity benefit is payable and to be credited with a contribution as an employed person or, as the case might be, as a self-employed person for that week. They also amend regulation 5 by making the provisions therein contained determining days of incapacity for work apply for the purposes of such exception and credit. They also, by amending regulation 29 of those regulations, provide for the treatment for the purposes of invalidity benefit of late paid contributions.

These regulations also amend regulation 14(3) of the National Insurance (Contributions) Regulations (Northern Ireland) 1962 by removing the general bar against the crediting of contributions to persons while a certificate remains in force excepting them on account of low income from liability to pay contributions.

The remaining provisions are of a minor character.