1972. No. 189 [NC]

NATIONAL INSURANCE AND INDUSTRIAL INJURIES

Commencement Order (Northern Ireland) 1972

ORDER, DATED 11TH AUGUST 1972, MADE BY THE SECRETARY OF STATE UNDER THE NATIONAL INSURANCE ACT 1972.

WHEREAS by paragraph 1 of Schedule 4 to the National Insurance Act 1972(**a**) (hereinafter referred to as "the Act of 1972"), as extended with adaptations to Northern Ireland, it is provided that the provisions of that Act as so extended, except section 5, shall not come into force until such date or dates as the Minister of Health and Social Services for Northern Ireland may by order appoint for those provisions or any of them:

AND WHEREAS by subsection (1)(*a*) of section 1 of the Northern Ireland (Temporary Provisions) Act 1972(**b**) it is provided that, so long as that section has effect, all functions which apart from that Act belong to any Minister of Northern Ireland shall be discharged by the Secretary of State:

NOW, THEREFORE, the Secretary of State hereby makes the following order:

1. Subject to the provisions of Article 2, the day appointed for the coming into force of any provision of the Act of 1972 specified in column 1 of the Schedule, so far as that provision relates to any subject matter specified in column 2 of that Schedule, shall be the date specified in column 3 thereof in relation to that subject matter.

2.—(1) As respects the period beginning with 2nd October 1972 and ending with 4th October 1972, the rate of a person's unemployment benefit, sickness benefit or invalidity pension for any day in that period by virtue of section 18(3) of the National Insurance Act (Northern Ireland) 1966(**c**) or Article 3(4) of the Social Services (Parity) Order (Northern Ireland) 1971(**d**) (rate of unemployment benefit, sickness benefit or invalidity pension for persons over pensionable age who have not retired from regular employment) shall be determined as if the day appointed for the coming into force of the provisions of the Act of 1972 relating to higher rates of retirement pension under the National Insurance Act (Northern Ireland) 1966 were 5th October 1972.

(2) In a case where the weekly rate of retirement pension payable to a person who has retired from regular employment falls to be increased under the provisions of Article 3(6) of the Social Services (Parity) Order (Northern Ireland) 1971 (increase, in certain cases, of retirement pension by reference to pensioner's previous entitlement to invalidity allowance), the amount of the increase payable to that person shall be determined as if the day appointed for the coming into force of the provisions of the Act of 1972 relating to invalidity allowance were 2nd October 1972.

(**a**) 1972. c. 57.
(**b**) 1972. c. 22.
(**c**) 1966. c. 6 (N.I).
(**d**) S.R. & O. (N.I.) 1971, No. 224.

(3) In the case of a person to whom injury benefit under the National Insurance (Industrial Injuries) Act (Northern Ireland) 1966(e) is payable for 4th October 1972 at a reduced weekly rate by virtue of the provisions of section 29 of that Act (adjustments for successive accidents), the rate of that injury benefit and of any sickness benefit under the National Insurance Act (Northern Ireland) 1966 or invalidity pension under the Social Services (Parity) Order (Northern Ireland) 1971 shall be determined as if the day appointed for the coming into force of the provisions of the Act of 1972 relating to higher rates of those benefits were 4th October 1972 and, where appropriate, as if the reference to 5th October in paragraph (1) were a reference to 4th October 1972.

3. This order may be cited as the National Insurance and Industrial Injuries (Commencement) Order (Northern Ireland) 1972.

Dated this 11th day of August 1972.

W. S. I. Whitelaw,
One of Her Majesty's Principal Secretaries of State.

(e) 1966. c. 9 (N.I.).

SCHEDULE Article 1

Provisions of the National Insurance Act 1972 1	*Subject Matter* 2	*Appointed Day* 3
Section 1(1)-(4) and Schedule 1	Rates of benefit under the National Insurance Act (Northern Ireland) 1966 in the case of—	
	(*a*) unemployment, sickness and invalidity benefit	5th October 1972
	(*b*) maternity allowance, widow's benefit, guardian's allowance, retirement pension, age addition and child's special allowance	2nd October 1972
Section 1(5)	Calculation of earnings-related supplement and widow's supplementary allowance	2nd October 1972
Section 3(1) and (2) and Schedule 2	Flat-rate and graduated contributions under the National Insurance Act (Northern Ireland) 1966	2nd October 1972
Section 3(3)	Payments to the National Insurance Fund out of money provided by Parliament in addition to Exchequer supplements	2nd October 1972
Section 4(1) and Schedule 3	Rates and amounts of benefit under the National Insurance (Industrial Injuries) Act (Northern Ireland) 1966 in the case of—	
	(*a*) injury benefit (including increases thereof) and increases of disablement pension in respect of children and adult dependants in the case of a beneficiary receiving, as an in-patient in a hospital or similar institution, medical treatment for the relevant injury or loss of faculty	5th October 1972
	(*b*) disablement benefit (including increases of disablement pension other than those referred to in sub-paragraph (*a*)), increase of unemployability supplement under section 13A, maximum under section 29(1)(*a*) of aggregate of weekly benefits payable for successive accidents and maximum disablement gratuity under section 12(4)	4th October 1972

Provisions of the National Insurance Act 1972 1	*Subject Matter* 2	*Appointed Day* 3
	(*c*) widow's pension under section 19, widower's pension under section 20 and allowance under section 21 in respect of children of deceased's family	2nd October 1972
Section 4(2)	Amendments relating to widow's pension under section 19 of the National Insurance (Industrial Injuries) Act (Northern Ireland) 1966	2nd October 1972
Section 4(3)	Power to make regulations prescribing earnings level that does not disqualify for unemployability supplement	4th October 1972
Section 4(4)	Maximum weekly rate of lesser incapacity allowance under the Workmen's Compensation (Supplementation) Act (Northern Ireland) 1966(f)	4th October 1972
Section 4(5)	Employers' contributions under the National Insurance (Industrial Injuries) Act (Northern Ireland) 1966	2nd October 1972
Section 6(1)	Application to invalidity benefit of provisions of section 11(1)(*a*)-(*d*) of the National Insurance (No. 2) Act (Northern Ireland) 1966(g) (which, among other things, enable regulations to provide for claims and decisions relating to sickness benefit to be made or operate prospectively)	2nd October 1972
Section 6(3)	Financial provisions	2nd October 1972
Section 6(5) and Schedule 4 Part I	Commencement and transitory matters	11th August 1972
Section 7 and Schedule 5	Provisions as to Northern Ireland	11th August 1972
Section 8(1), (3) and, as it applies to Northern Ireland, (4)	Citation and construction	11th August 1972

(f) 1966. c. 14 (N.I.).

(g) 1966. c. 16 (N.I.).

Provisions of the National Insurance Act 1972	*Subject Matter*	*Appointed Day*
1	2	3
Section 8(5), as it applies to Northern Ireland, and Schedule 6 Part II	Repeals affecting—	
	the National Insurance (Industrial Injuries) Act (Northern Ireland) 1966— section 19	2nd October 1972
	the National Insurance (No. 2) Act (Northern Ireland) 1966— section 5(5)	2nd October 1972
	the National Insurance Act (Northern Ireland) 1970(h)— section 7(3)	2nd October 1972
	the Social Services (Parity) Order (Northern Ireland) 1971— Article 1(1), (2) and Schedule 1	2nd October 1972
	Article 2(1) and Schedule 2 in the case of—	
	(*a*) unemployment, sickness and invalidity benefit	5th October 1972
	(*b*) maternity allowance, widow's benefit, guardian's allowance, retirement pension, age addition and child's special allowance	2nd October 1972
	Article 8(1) and Schedule 4 in the case of—	
	(*a*) injury benefit (including increases thereof) and increases of disablement pension in respect of children and adult dependants in the case of a beneficiary receiving, as an in-patient in a hospital or similar institution, medical treatment for the relevant injury or loss of faculty	5th October 1972
	(*b*) disablement benefit (including increases of disablement pension other than those mentioned in sub-paragraph (*a*)), increase of unemployability supplement, maximum of aggregate of weekly benefits payable for successive accidents and maximum disablement gratuity	4th October 1972
	(*c*) widow's pension, widower's pension and allowance in respect of children of deceased's family	2nd October 1972
	Article 11	4th October 1972

(h) 1970. c. 28 (N.I.).