1972. No. 222 [C]

NATIONAL INSURANCE

Unemployment and Sickness Benefit and Miscellaneous Amendments

REGULATIONS, DATED 1ST SEPTEMBER 1972, MADE BY THE NATIONAL INSURANCE JOINT AUTHORITY AND THE MINISTRY OF HEALTH AND SOCIAL SERVICES IN CONJUNCTION WITH THE MINISTRY OF FINANCE, UNDER THE NATIONAL INSURANCE ACTS (NORTHERN IRELAND) 1966 TO 1969.

The National Insurance Joint Authority, in exercise of powers conferred by section 19(2)(*a*) of the National Insurance Act (Northern Ireland) 1966(**a**), and the Ministry of Health and Social Services on behalf of the Secretary of State, in conjunction with the Ministry of Finance on behalf of the Secretary of State so far as relates to matters with regard to which the Ministry of Finance has so directed, in exercise of powers conferred by sections 47(1), 51(1), 74(2) and 80(3) of that Act, section 11(1)(*a*)-(*d*) of the National Insurance (No. 2) Act (Northern Ireland) 1966(**b**), and by section 8 of the National Insurance &c. (No. 2) Act (Northern Ireland) 1969(**c**), and in exercise of all other powers enabling them in that behalf, hereby make the following regulations being regulations subject to negative resolution in accordance with section 101(3) of the National Insurance Act (Northern Ireland) 1966.

Citation and commencement

1. These regulations may be cited as the National Insurance (Unemployment and Sickness Benefit and Miscellaneous Amendments) Regulations (Northern Ireland) 1972 and shall come into operation on 2nd October 1972.

Amendment of the National Insurance (Unemployment and Sickness Benefit) Regulations

2. In regulation 7 of the National Insurance (Unemployment and Sickness Benefit) Regulations (Northern Ireland) 1961(**d**) (days not to be treated as days of unemployment or incapacity for work)—

(*a*) in paragraph (1)(*h*) for the words "are ordinarily less than £2·00 a week" there shall be substituted the words "are ordinarily not more than £4·50 a week";

(*b*) in paragraph (1)(*i*) for the words "do not exceed 33½ new pence" there shall be substituted the words "do not exceed 75 pence".

Amendment of the National Insurance and Industrial Injuries (Miscellaneous and Consequential Provisions) Regulations

3. In regulation 2 of the National Insurance and Industrial Injuries (Miscellaneous and Consequential Provisions) Regulations (Northern Ireland) 1966(**e**) (forward allowances and disallowances of sickness benefit and injury benefit)—

(*a*) in paragraph (1)(*a*), after the words "sickness benefit" there shall be inserted the words "or invalidity benefit";

(*b*) in paragraphs (1)(*c*) and (2), after the words "sickness benefit" there shall be inserted the words ", invalidity benefit";

(*c*) after paragraph (3) there shall be inserted the following paragraph:

(a) 1966. c. 6 (N.I.).
(b) 1966. c. 16 (N.I.).
(c) 1969. c. 19 (N.I.).
(d) S.R. & O. (N.I.) 1961, No. 222.
(e) S.R. & O. (N.I.) 1966, No. 216.

"(4) Where a claim for invalidity benefit is disallowed on the ground that—

(*a*) the contribution condition in Article 3(2) of the Social Services (Parity) Order (Northern Ireland) 1971(**f**) is not satisfied, or

(*b*) the claimant has not been entitled to sickness benefit for 168 days in the relevant period of interruption of employment,

the decision disallowing that claim shall, subject to the provisions of section 71 of the Act (review of decisions of insurance officer, local tribunal or Commissioner), be treated as a decision disallowing any further claim (being a continuation claim within the meaning of paragraph 2(*c*) of column (1) of Schedule 2 to the National Insurance (Claims and Payments) Regulations (Northern Ireland) 1972(**g**)) by that person for that benefit until the grounds for the original disallowance have ceased to exist."

Amendment of the National Insurance (Determination of Claims and Questions) Regulations

4. In regulation 15 of the National Insurance (Determination of Claims and Questions) Regulations (Northern Ireland) 1968(**h**) (review of decisions involving payment or increase of benefit), for sub-paragraph (*d*)(**i**) of paragraph (2) there shall be substituted the following sub-paragraph:

"(*d*) The provisions of paragraph (2)(*a*)(**j**) shall not apply to the review of a decision disallowing a claim for sickness benefit, invalidity benefit or unemployment benefit in so far as it is a decision which, under the provisions of regulation 2(3), 2(4) or 2A of the National Insurance and Industrial Injuries (Miscellaneous and Consequential Provisions) Regulations (Northern Ireland) 1966(**k**), has been treated as a decision disallowing a further claim for any of those benefits."

Revocation of regulations

5. The regulations specified in the Schedule are hereby revoked to the extent mentioned in column (3) of that Schedule.

Given under the Official Seal of the National Insurance Joint Authority this 1st day of September 1972.

(L.S.) *N. Hanson,*
Secretary.

Given under the Official Seal of the Ministry of Health and Social Services for Northern Ireland this 1st day of September 1972.

(L.S.) *C. G. Oakes,*
Assistant Secretary.

Given under the Official Seal of the Ministry of Finance for Northern Ireland this 1st day of September 1972.

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

(**f**) S.R. & O. (N.I.) 1971, No. 224.
(**g**) S.R. & O. (N.I.) 1972, No. 185.
(**h**) S.R. & O. (N.I.) 1968, No. 172.
(**i**) See reg. 5 of S.R. & O. (N.I.) 1972, No. 58.
(**j**) See reg. 12 of S.R. & O. (N.I.) 1971, No. 287.
(**k**) S.R. & O. (N.I.) 1966, No. 216.

SCHEDULE Regulation 5

Regulations Revoked

Statutory Rules and Orders of Northern Ireland (1)	*Citation* (2)	*Extent of Revocation* (3)
S.R. & O. (N.I.) 1970, No. 15	The Family Allowances, National Insurance, Industrial Injuries and Miscellaneous Provisions (Decimalisation of the Currency) Regulations (Northern Ireland) 1970.	Regulation 7(1).
S.R. & O. (N.I.) 1971, No. 190	The National Insurance (General Benefit) Regulations (Northern Ireland) 1971.	Regulation 13(10).
S.R. & O. (N.I.) 1971, No. 313	The National Insurance (General Benefit and Claims and Payments) Regulations (Northern Ireland) 1971.	The whole regulations.
S.R. & O. (N.I.) 1972, No. 58	The National Insurance (Claims and Payments and Miscellaneous Provisions) Regulations (Northern Ireland) 1972.	Regulation 5.
S.R. & O. (N.I.) 1972, No. 185	The National Insurance (Claims and Payments) Regulations (Northern Ireland) 1972.	Schedule 3, paragraph 4.

EXPLANATORY NOTE

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

These regulations amend the National Insurance (Unemployment and Sickness Benefit) Regulations (Northern Ireland) 1961, the National Insurance and Industrial Injuries (Miscellaneous and Consequential Provisions) Regulations (Northern Ireland) 1966 and the National Insurance (Determination of Claims and Questions) Regulations (Northern Ireland) 1968.

Regulation 2 amends regulation 7 of the National Insurance (Unemployment and Sickness Benefit) Regulations 1961 by increasing the unemployment benefit subsidiary occupation earnings limit and the earnings limit for permitted work for sickness and invalidity benefit purposes; regulation 3 amends regulation 2 of the National Insurance and Industrial Injuries (Miscellaneous and Consequential Provisions) Regulations (Northern Ireland) 1966 making provision for claims and decisions relating to invalidity benefit to operate prospectively; regulation 4 amends regulation 15 of the National Insurance (Determination of Claims and Questions) Regulations (Northern Ireland) 1968 (review of decisions involving payment or increase of benefit) in consequence of the amendment to the 1966 Regulations effected by regulation 3 of these regulations.