1972. No. 58 **[C]**

NATIONAL INSURANCE

Claims and Payments and Miscellaneous Provisions

REGULATIONS, DATED 3RD MARCH 1972, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES, IN CONJUNCTION WITH THE MINISTRY OF FINANCE, UNDER THE NATIONAL INSURANCE ACTS (NORTHERN IRELAND) 1966.

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 10(1), 47(1), 48(3) and (4) and 80(3) of the National Insurance Act (Northern Ireland) 1966(**a**) and section 11(1)(*d*) of the National Insurance (No. 2) 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 section 101(3) of the National Insurance Act (Northern Ireland) 1966.

Citation and commencement

1. These regulations may be cited as the National Insurance (Claims and Payments and Miscellaneous Provisions) Regulations (Northern Ireland) 1972 and shall come into operation on 27th March 1972.

Amendment of the National Insurance (Claims and Payments) Regulations (Northern Ireland) 1961

2.—(1) The National Insurance (Claims and Payments) Regulations (Northern Ireland) 1961(**c**) shall be amended in accordance with paragraphs (2) to (4).

(2) For regulation 2 (claims to be made to the Ministry in writing) there shall be substituted the following regulation:

"**2.** Every claim for benefit shall be made in writing to the Ministry on the form approved by the Ministry for the purpose of the benefit for which the claim is made, or in such other manner, being in writing, as the Ministry may accept as sufficient in the circumstances of any particular case or class of cases; and, subject to any directions given by the Ministry in any particular case or class of cases, a person claiming unemployment benefit shall attend in person at a local office to make his claim."

(3) For paragraph 3 (special provisions relating to claims for unemployment benefit) of Part II of the Second Schedule there shall be substituted the following paragraph:

"3. A person who claims unemployment benefit in respect of any day shall not be disqualified for the receipt of that benefit by reason of his failure to make his claim for it on that day if—

(*a*) that claim is made on a day specified for the purpose of his claiming unemployment benefit in a notice previously given to him by the Ministry, and either

(a) 1966. c. 6 (N.I.).
(b) 1966. c. 16 (N.I.).
(c) S.R. & O. (N.I.) 1961, No. 221.

(*b*) that claim is made on the first or only day so specified in that notice, or

(*c*) he has claimed unemployment benefit on every day so specified in that notice which falls before the day on which that claim is made."

(4) For paragraph 6 (claims in advance) of Part II of the Second Schedule there shall be substituted the following paragraph:

"6. Where for the purposes of the provisions of the National Insurance (Medical Certification) Regulations (Northern Ireland) 1965(**d**), it has been certified that it is to be expected that a woman will be confined, and either—

(*a*) a claim for sickness or invalidity benefit is made by that woman on or after the date of that certificate, or

(*b*) a claim for maternity allowance so made by that woman is treated under the provisions of regulation 7(1) as a claim in the alternative for sickness or invalidity benefit,

any such claim may, unless the Ministry otherwise directs, be treated as a claim for sickness or invalidity benefit made in respect of any days in the period beginning with the 6th week before the expected week of confinement or with the date of the confinement, whichever is the earlier, and ending 2 weeks after the date of the confinement."

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

3. In regulation 15 of the National Insurance (Contributions) Regulations (Northern Ireland) 1962(**e**) (conditions for the crediting of contributions), heads (*a*) and (*b*) of the proviso to paragraph (2) shall cease to have effect.

Amendment of the National Insurance and Industrial Injuries (Miscellaneous and Consequential Provisions) Regulations (Northern Ireland) 1966

4.—(1) The National Insurance and Industrial Injuries (Miscellaneous and Consequential Provisions) Regulations (Northern Ireland) 1966(**f**) shall be amended in accordance with paragraphs (2) and (3).

(2) In regulation 2(3) (forward disallowances of sickness benefit), after the word "shall" there shall be inserted the words ", subject to the provisions of section 71 of the Act (review of decisions of insurance officer, local tribunal or Commissioner),".

(3) After regulation 2 there shall be inserted the following regulation:

"Forward disallowances of unemployment benefit

2A. Where a person's claim for unemployment benefit has been disallowed on any grounds and in the decision disallowing that claim it is stated that the decision is to be treated as a disallowance of any further claim by that person for unemployment benefit for days specified in the decision until the expiration of a period specified in the decision (not being a period expiring more than 12 months after the date on which the decision is given) or, if the grounds for the original disallowance have ceased to exist before the expiration of the specified period, until they have ceased to exist, the decision shall, subject to the provisions of section 71 of the Act (review of decisions of insurance officer, local tribunal or Commissioner), be so treated."

(**d**) S.R. & O. (N.I.) 1965, No. 79.
(**e**) S.R. & O. (N.I.) 1962, No. 65.
(**f**) S.R. & O. (N.I.) 1966, No. 216.

Amendment of the National Insurance (Determination of Claims and Questions) Regulations (Northern Ireland) 1968

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

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

Sealed with the Official Seal of the Ministry of Health and Social Services for Northern Ireland this 3rd day of March 1972.

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

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 3rd day of March 1972.

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

EXPLANATORY NOTE

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

These regulations contain amendments affecting claims to benefit and conditions for the crediting of contributions under the National Insurance scheme.

The provisions on the requirements to make a claim to benefit in writing and, in the case of unemployment benefit, to attend in person at a local office of the Ministry are clarified. The period in respect of which a claim to sickness or invalidity benefit may be treated to have been made by a woman in relation to her confinement is extended. New provisions are included enabling a decision disallowing a claim to unemployment benefit to be treated, in certain circumstances and within specified limits, as having effect also in relation to subsequent claims to that benefit. Other changes made by the regulations are consequential on the foregoing.

(**g**) S.R. & O. (N.I.) 1968, No. 172. (**h**) S.R. & O. (N.I.) 1966, No. 216.

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As this Order has been classified as local, it is not printed at length in this volume. A summary is given in the List of Statutory Rules and Orders of a Local Character under the heading BANKS.