STATUTORY INSTRUMENTS

1971 No. 1421

SOCIAL SECURITY

The National Insurance and Industrial Injuries (Classification, Contributions and Collection of Contributions) Amendment Regulations 1971

Made - - -	*26th August* 1971
Laid before Parliament	*3rd September* 1971
Coming into Operation—	
Regulations 1 *and* 3(4)	*6th September* 1971
Regulations 2 *and* 4	*20th September* 1971
Regulation 3(2)	*27th September* 1971
Remainder	*23rd September* 1971

The Secretary of State for Social Services in exercise of his powers under sections 1(3), 8(5) and 10(1) (as amended by section 1(4)(*b*) of the National Insurance Act 1971**(a)**) of the National Insurance Act 1965**(b)** and section 3(3)(*b*) of the National Insurance (Industrial Injuries) Act 1965**(c)** and of all other powers enabling him in that behalf and in conjunction with the Treasury so far as relates to matters with regard to which they have so directed, hereby makes the following regulations which contain no provisions other than such as either are made in consequence of the said Act of 1971 or operate with reference to the amount of a person's earnings and which accordingly by virtue of section 16 of and paragraph 2(1)(*a*) and (*b*) of Schedule 6 to that Act are exempt from the requirements of section 108 of the said National Insurance Act 1965 and section 62(2) of the said National Insurance (Industrial Injuries) Act 1965 (reference to the National Insurance Advisory Committee and the Industrial Injuries Advisory Council):—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the National Insurance and Industrial Injuries (Classification, Contributions and Collection of Contributions) Amendment Regulations 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) 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, unless the context otherwise requires, be read as one with the regulations which it amends.

(a) 1971 c. 50. (b) 1965 c. 51. (c) 1965 c. 52.

Amendment of the National Insurance (Classification) Regulations 1948

2. In Schedule 1 to the National Insurance (Classification) Regulations 1948**(a)**, as amended**(b)**, (classification of insured persons)—

(*a*) for the sum "£4" in paragraphs 8 of column (B), 11 of columns (A) and (B), 32, 34 to 44A and 46 to 53 of column (B) there shall be substituted the sum "£5·00", and

(*b*) for the sum "£2·00" in paragraph 17 of column (A) there shall be substituted the sum "£4·00".

Amendment of the National Insurance (Contributions) Regulations 1969

3.—(1) The National Insurance (Contributions) Regulations 1969**(c)**, as amended**(d)**, shall be amended in accordance with the following paragraphs of this regulation.

(2) In regulation 3 (incapacity for work)—

(*a*) for paragraph (2) 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) of this regulation 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.".

(*b*) in paragraph (3) after the words "sickness benefit" there shall be added the words "or invalidity benefit".

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

(a) S.I. 1948/1425 (Rev. XVI, p. 95: 1948 I, p. 2738).
(b) The relevant amending instruments are S.I. 1950/830, 1957/2175, 1969/1135, 1362 (1950 II, p. 12; 1957 I, p. 1623; 1969 II, p. 3371; III, p. 4069).
(c) S.I. 1969/1696 (1969 III, p. 5323).
(d) There is no amendment which relates expressly to the subject matter of these regulations.

(*a*) for the words "unemployment benefit and sickness benefit" in paragraph (3)(*a*) there shall be substituted the words "unemployment benefit, sickness benefit and invalidity benefit";

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

(*c*) for the words "either such benefit" in paragraph (3)(*c*)(ii) there shall be substituted the words "unemployment, sickness, or as the case may be, invalidity benefit";

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

(4) In regulation 15(3) (small income 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 regulation 25 (late paid contributions)—

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

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

(6) In the Arrangement of Regulations, for the words "or sickness" in the description of the said regulation 25 there shall be substituted the words "sickness or invalidity".

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

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

Signed by authority of the Secretary of State for Social Services.

Mildred Riddelsdell,
Second Permanent Secretary,
Department of Health and Social Security.

25th August 1971.

Walter Clegg,
Bernard Weatherill,
Two of the Lords Commissioners
of Her Majesty's Treasury.

26th August 1971.

(a) S.I. 1948/1274 (Rev. XVI, p. 148: 1948 I, p. 3037).
(b) The relevant amending instruments are S.I. 1959/207, 1969/1362 (1959 II, p. 1893; 1969 III, p. 4069).

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

By virtue of section 16 of and paragraph 2(1)(*a*) and (*b*) of Schedule 6 to the National Insurance Act 1971 these Regulations are exempt from reference to the National Insurance Advisory Committee and to the Industrial Injuries Advisory Council, and no such references have been made.

These Regulations, by amending various paragraphs of Schedule 1 to the National Insurance (Classification) Regulations 1948 and regulations 10A and 11 of the National Insurance and Industrial Injuries (Collection of Contributions) Regulations 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 1969, 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 of those Regulations 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 25 of those Regulations, provide for the treatment for the purposes of invalidity benefit of late paid contributions.

These Regulations also amend regulation 15(3) of the National Insurance (Contributions) Regulations 1969 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.

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