STATUTORY INSTRUMENTS

1969 No. 1135

SOCIAL SECURITY

The Family Allowances, National Insurance and Industrial Injuries (Post Office Act 1969 Consequential) Regulations 1969

Made - - - -	*4th August* 1969
Laid before Parliament	*14th August* 1969
Coming into Operation	*1st October* 1969

The Secretary of State for Social Services, in conjunction with the Treasury so far as relates to matters with regard to which the Treasury have so directed, in exercise of his powers under sections 7 and 13 of the Family Allowances Act 1965(a), sections 1(3) and 52 of the National Insurance Act 1965(b) and section 27 of the National Insurance (Industrial Injuries) Act 1965(c), as amended, in the case of the said sections 7, 52 and 27, by section 2 of the National Insurance &c. Act 1969(d) and, in the case of the said sections 7, 13, 52 and 27, by section 138 of the Post Office Act 1969(e), and of all other powers enabling him in that behalf, hereby, in consequence of the last-mentioned Act of 1969, makes the following regulations which, by virtue of the provisions of paragraph 48 of Schedule 9 to the said last-mentioned Act of 1969, are excepted from the requirements of section 108 of the National Insurance Act 1965 (preliminary draft of regulations under that Act to be submitted to the National Insurance Advisory Committee) and section 62(2) of the National Insurance (Industrial Injuries) Act 1965 (proposal to make regulations under that Act to be submitted to the Industrial Injuries Advisory Council):—

Citation, interpretation and commencement

1. These regulations, which may be cited as the Family Allowances, National Insurance and Industrial Injuries (Post Office Act 1969 Consequential) Regulations 1969 shall, in so far as they relate to the subject matter of, as the case may be, the Family Allowances (Making of Claims and Payments) Regulations 1946(f), as amended (g) (hereinafter referred to as "the Family Allowances Claims and Payments Regulations"), the National Insurance (Claims and Payments) Regulations 1948(h), as amended (i) (hereinafter referred to as "the

(a) 1965 c.53.
(b) 1965 c.51.
(c) 1965 c.52.
(d) 1969 c.4.
(e) 1969 c.48.
(f) S.R. & O. 1946/137 (Rev. VII, p.616: 1946 I, p.509).
(g) The relevant amending instrument is S.I. 1969/288 (1969 I, p.784).
(h) S.I. 1948/1041 (Rev. XVI, p.313: 1948 I, p.2709).
(i) The relevant amending instruments are 1949/1204, 1952/1207, 1957/1835, 1966/1010, 1969/289 (1949 I, 2708; 1952 II, p.2122; 1957 I, p.1523; 1966 II, p.2407; 1969 I, p. 788).

National Insurance Claims and Payments Regulations"), the National Insurance (Classification) Regulations 1948(a), as amended (b), (hereinafter referred to as "the National Insurance Classification Regulations"), and the National Insurance (Industrial Injuries) (Claims and Payments) Regulations 1964(c) as amended (d) (hereinafter referred to as "the Industrial Injuries Claims and Payments Regulations"), be read as one with those regulations and shall come into operation on 1st October 1969.

Amendments to the Family Allowances Claims and Payments Regulations

2.—(1) The Family Allowances Claims and Payments Regulations shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 1(2) (definitions) the definition of "the appropriate post office" shall be omitted.

(3) For regulation 8 there shall be substituted the following regulation:—

"*Method of payment of sums on account of allowance*

8. Sums on account of an allowance shall become receivable at the time hereinafter prescribed and shall be paid either by means of allowance orders payable in respect of every week to a person by whom such sums are receivable or in such other special manner as the Secretary of State for Social Services may in any particular case and for any particular period determine."

(4) For paragraph (1) of regulation 9 there shall be substituted the following paragraph:—

"*Allowance order books*

9.—(1) In every case in which sums on account of an allowance are payable by means of allowance orders, the Secretary of State for Social Services shall cause arrangements to be made whereby—

(*a*) on furnishing such evidence of identity and such other particulars as may be required, the person to whom the allowance belongs or (where an order has been made under section 4(3) of the Act) by whom sums on account of the allowance are receivable, or any person appointed under regulation 12 to act on behalf of any such person, may obtain a book of allowance orders;

(*b*) written notice is sent to that person of the arrangements so far as they affect him; and

(*c*) a fresh book of allowance orders may be issued to that person on the expiration of the previous book."

(5) In regulation 10(A) (extinguishment of right to payment of sums on account of allowances), in paragraph (1)(*a*), for the words "a post office" there shall be substituted the words "an approved place", and for paragraph (3) there shall be substituted the following paragraph:—

"(3) In this regulation—

(*a*) 'instrument of payment' means an allowance order for the payment of a sum on account of an allowance and any other instrument whatsoever which is intended to enable a person to obtain payment of such a sum;

(a) S.I. 1948/1425 (Rev. XVI, p.95: 1948 I, p. 2738).

(b) There is no amendment which relates expressly to the subject matter of these regulations.

(c) S.I. 1964/73 (1964 I, p.115).

(d) The relevant amending instrument is S.I. 1969/291 (1969 I, p. 794).

(*b*) 'payee' means a person by whom sums on account of allowances are receivable and any person authorised or appointed to act for such a person; and

(*c*) 'approved place' means a place approved by the Secretary of State for the purpose of making payment of sums on account of allowances."

Amendments to the National Insurance Claims and Payments Regulations

3.—(1) The National Insurance Claims and Payments Regulations shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 1(2) (definitions) for the definitions of "pension order", "serial order", "draft" and "appropriate post office" there shall be substituted the following definitions:—

" 'pension order' means an order for the payment of a weekly sum on account of a pension;"

" 'serial order' means one of a series of orders, including pension orders, for the payment of a sum on account of benefit which is or has been contained in a book of such orders;"

" 'instrument of payment' means a serial order and any other instrument whatsoever which is intended to enable a person to obtain payment of benefit;"

" 'approved place' means a place approved by the Secretary of State for Social Services for the purpose of obtaining payment of benefit;".

(3) In regulation 9 (time and manner of payment of unemployment benefit, sickness benefit, maternity benefit and death grant) for heads (*a*) and (*b*) there shall be substituted the following heads:—

"(*a*) in the case of unemployment benefit, sickness benefit and maternity benefit, by means of instrument of payment or in cash at any employment exchange or local office of the Department of Health and Social Security, or by other means including cash payment in the home, if the circumstances of any particular case appear to the Secretary of State for Social Services to render this appropriate;

(*b*) in the case of death grant, by means of instrument of payment or in cash at a local office of the said Department, or by such other means as appear to the said Secretary of State to be appropriate in the circumstances of any particular case."

(4) In regulation 10, for paragraphs (1)—(3), there shall be substituted the following paragraphs:—

"*Time and manner of payment of retirement pension, widow's benefit and guardians allowance*

10.—(1) Subject to the provisions of these regulations, pensions shall be paid weekly in advance by means of pension orders payable in each case to the pensioner at such approved place as the Secretary of State for Social Services, after enquiry of the pensioner, may from time to time specify.

(2) In every case in which there is an award by the determining authority under which a pension is payable, the said Secretary of State shall cause arrangements to be made whereby, on furnishing such evidence as to identity and such other particulars as may be required, the pensioner may obtain a book of pension orders, and the said Secretary of State shall notify the pensioner of the arrangements so far as they affect him.

(3) The said Secretary of State shall arrange for the issue to every pensioner of a fresh book of pension orders on the expiration of the previous book."

(5) in regulation 12 (extinguishment of right to payment of sums on account of benefit), for sub-paragraph (*a*) of paragraph (1) there shall be substituted the following sub-paragraph:—

"(*a*) in relation to any such sum contained in an instrument of payment which has been given or sent, for the purpose of making payment thereof, to the beneficiary or to an approved place for collection by him (whether or not received or collected as the case may be), notwithstanding that that sum is greater or less than the sum to which the beneficiary has the right to payment—

(i) on the date on the said instrument of payment; or

(ii) if a further instrument of payment has been so given or sent as a replacement for an instrument of payment previously given or sent, on the date on the last such instrument of payment;".

(6) In Part II of the Second Schedule, paragraph 3(4) (power of Secretary of State for Social Services with approval of Postmaster General to appoint such post offices as he thinks proper for purpose of making claims for, and obtaining payment of, unemployment benefit) is hereby revoked.

Amendments to the National Insurance Classification Regulations

4.—(1) The National Insurance Classification Regulations shall be amended in accordance with the following provisions of this regulation.

(2) In Part II of Schedule 1 (which Part sets out in column (A) employments in respect of which persons are treated as self-employed persons and in column (B) the persons excepted from the operation of column (A)) in paragraph 9 of column (B) for the word "Postmaster-General" there shall be substituted the words "Post Office".

(3) In Part III of Schedule 1 (which Part sets out in column (A) employments in respect of which persons are treated as non-employed persons and their employment therein disregarded and in column (B) the persons excepted from the operation of column (A)), paragraphs 33 and 36 of columns (A) and (B) (which paragraphs relate respectively to certain part-time employment as a telephone exchange attendant and to employment as an auxiliary sorter) are hereby revoked, and for paragraph 39 of column (A) (employment conveying mails on station or pier service), there shall be substituted the following paragraph:—

"39. Employment as an occasional messenger on Post Office business".

Amendments to the Industrial Injuries Claims and Payments Regulations

5.—(1) The Industrial Injuries Claims and Payments Regulations shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 1(2) (definitions), for the definitions of "appropriate post office", "benefit order", "serial order" and "draft", there shall be substituted the following definitions:—

" 'approved place' means a place approved by the Secretary of State for Social Services for the purpose of obtaining payment of benefit;"

" 'benefit order' means an order for the payment of a weekly sum on account of benefit to which regulation 16 applies or of a weekly instalment of a gratuity;"

" 'serial order' means one of a series of orders, including benefit orders, for the payment of a sum on account of benefit which is or has been contained in a book of such orders;"

" 'instrument of payment' means a serial order, benefit order or any other instrument whatsoever which is intended to enable a person to obtain payment of benefit;"

(3) In regulation 15, for paragraph (1), there shall be substituted the following paragraph:—

"*Time and manner of payment of injury benefit (including increases thereof) and certain increases of disablement pensions*

15.—(1) Subject to the provisions of these regulations, benefit to which this regulation applies shall be paid in accordance with an award thereof, as soon as is reasonably practicable after such an award has been made, by means of instrument of payment or in cash at a local office of the Department of Health and Social Security, or by other means including cash payment in the home if the circumstances of any particular case appear to the Secretary of State for Social Services to render this appropriate."

(4) In regulation 16, for paragraphs (1)—(3), there shall be substituted the following paragraphs:—

"*Time and manner of payment of pensions (including certain increases thereof) and allowances (except injury benefit)*

16.—(1) Subject to the provisions of these regulations, benefit to which this regulation applies shall be paid weekly in advance by means of benefit orders payable in each case to the beneficiary at such approved place as the Secretary of State for Social Services, after enquiry of the beneficiary, may from time to time specify.

(2) In every case in which there is an award of benefit to which this regulation applies, the said Secretary of State shall cause arrangements to be made whereby, on furnishing such evidence as to identity and such other particulars as may be required, the beneficiary may obtain a book of benefit orders, and the said Secretary of State shall notify the beneficiary of the arrangements so far as they affect him.

(3) The said Secretary of State shall arrange for the issue to every beneficiary entitled to benefit to which this regulation applies, of a fresh book of benefit orders on the expiration of the previous book."

(5) In regulation 20 (extinguishment of right to payment of sums on account of benefit), for sub-paragraph (*a*) of paragraph (1) there shall be substituted the following sub-paragraph:—

"(*a*) in relation to any such sum contained in an instrument of payment which has been given or sent, for the purpose of making payment thereof, to the beneficiary or to an approved place for collection by him (whether or not received or collected as the case may be), notwithstanding that that sum is greater or less than the sum to which the beneficiary has the right to payment—

(i) on the date on the said instrument of payment; or

(ii) if a further instrument of payment has been so given or sent as a replacement for an instrument of payment previously given or sent, on the date on the last such instrument of payment;".

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

David Ennals,
Minister of State,
Department of Health and Social Security.

31st July 1969.

E. Alan Fitch,
B. K. O'Malley,
Two of the Lords Commissioners of
Her Majesty's Treasury.

4th August 1969.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations, which are made in consequence of the Post Office Act 1969, make a number of minor amendments to the Family Allowances (Making of Claims and Payments) Regulations 1946 (see Regulation 2), to the National Insurance (Claims and Payments) Regulations 1948 (see Regulation 3), to the National Insurance (Classification) Regulations 1948 (see Regulation 4) and to the National Insurance (Industrial Injuries) (Claims and Payments) Regulations 1964 (see Regulation 5) consequent upon the Post Office ceasing to be a Government Department and upon the abolition of the office of Postmaster General.

Pursuant to paragraph 48 of Schedule 9 to the Post Office Act 1969, these Regulations have not been referred to the National Insurance Advisory Committee or to the Industrial Injuries Advisory Council.