STATUTORY INSTRUMENTS

1972 No. 1229 (C.28)

SOCIAL SECURITY

The National Insurance Act 1972 (Commencement No. 1) Order 1972

Made - - -	*9th August* 1972
Laid before Parliament	*10th August* 1972
Coming into Operation	*11th August* 1972

The Secretary of State for Social Services, in conjunction with the Treasury, in exercise of powers conferred by section 6(5) of, and paragraph 1 of Part I of Schedule 4 to, the National Insurance Act 1972(**a**), and of all other powers enabling him in that behalf, hereby makes the following Order:—

Citation and commencement

1. This Order may be cited as the National Insurance Act 1972 (Commencement No. 1) Order 1972 and shall come into operation on 11th August 1972.

Appointed days

2.—(1) Subject to the following provision of this Order, the day appointed for the coming into force of any provision of the National Insurance Act 1972 specified in column 1 of the Schedule to this Order, 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 of that Schedule in relation to that subject matter.

(2) 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 19(3) of the National Insurance Act 1965(**b**) or section 3(4) of the National Insurance Act 1971(**c**) (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 said Act of 1972 relating to higher rates of retirement pension under the said Act of 1965 were 5th October 1972.

(3) 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 section 3(6) of the National Insurance Act 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 said Act of 1972 relating to invalidity allowance was 2nd October 1972.

(**a**) 1972 c. 57.
(**b**) 1965 c. 51.
(**c**) 1971 c. 50.

(4) In the case of a person to whom injury benefit under the National Insurance (Industrial Injuries) Act 1965(**a**) is payable for 4th October 1972 at a reduced weekly rate by virtue of the provisions of section 29(1) of that Act (adjustments for successive accidents), the rate of that injury benefit and of any sickness benefit under the National Insurance Act 1965 or invalidity pension under the National Insurance Act 1971 shall be determined as if the day appointed for the coming into force of the provisions of the said 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 (2) of this Article were a reference to 4th October 1972.

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

Paul Dean,

Parliamentary Under Secretary of State,
Department of Health and Social Security.

9th August 1972.

Tim Fortescue,

V. H. Goodhew,

Two of the Lords Commissioners of
Her Majesty's Treasury.

9th August 1972.

Article 2 SCHEDULE

Provisions of the National Insurance Act 1972	Subject Matter	Appointed Day
Section 1 and Schedule 1	Rates of benefit under the National Insurance Act 1965 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
	(*c*) calculation of earnings-related supplement and widow's supplementary allowance	2nd October 1972
Section 3(1) and (2) and Schedule 2	Flat-rate contributions under the National Insurance Act 1965, any increase payable by way of Exchequer Supplement under section 7 of that Act and graduated contributions under that Act	2nd October 1972
Section 3(3)	Payments to the National Insurance Fund out of moneys 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 1965 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

(**a**) 1965 c. 52.

SCHEDULE—(*continued*)

Provisions of the National Insurance Act 1972	Subject Matter	Appointed Day
	(*b*) disablement benefit (including increases of disablement pension other than those mentioned in the preceding sub-paragraph), 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(3)	4th October 1972
	(*c*) widow's pension under section 19, widower's pension under section 20 and allowance in respect of children of deceased's family under section 21	2nd October 1972
Section 4(2)	Amendments relating to widow's pension under section 19 of the National Insurance (Industrial Injuries) Act 1965	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)	Benefit under the Industrial Injuries and Diseases (Old Cases) Act 1967(a)	4th October 1972
Section 4(5)	Employers' contributions under the National Insurance (Industrial Injuries) Act 1965 and contributions paid out of moneys provided by Parliament under section 2(1)(*b*) of that Act	2nd October 1972
Section 6(1)	Application to invalidity benefit of provisions of section 11(1)(*a*)-(*d*) of the National Insurance Act 1966(b) (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(2)	Power to vary or revoke orders made under section 12(3) of the National Insurance Act 1966(b) (adjustments in respect of expenses)	2nd October 1972
Section 6(3)-(4)	Financial provisions	2nd October 1972
Section 6(5) and Schedule 4 Part I	Commencement and transitory matters	11th August 1972
Section 8(1), (2) and, as it applies to Great Britain, (4)	Citation and construction	11th August 1972
Section 8(5), as it applies to Great Britain, and Schedule 6 Part I	Repeals affecting—	
	the National Insurance (Industrial Injuries) Act 1965 section 19	2nd October 1972
	the National Insurance Act 1966 section 5(5)	2nd October 1972
	the National Insurance Act 1970(c) section 7(3)	2nd October 1972
	the National Insurance Act 1971—	
	section 1(1) to (3) and (5) and Schedule 1	2nd October 1972
	section 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

(a) 1967 c. 34. (b) 1966 c. 6. (c) 1970 c. 51.

SCHEDULE—(*continued*)

Provisions of the National Insurance Act 1972	Subject Matter	Appointed Day
	section 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 the preceding sub-paragraph), 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
	section 11(1)	4th October 1972

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order brings into operation, in Great Britain, all the provisions of the National Insurance Act 1972 except section 5 (already in force) and those relating to attendance allowance.

SI 1972/1229
ISBN 0-11-021229-0

