

National Insurance Act 1972

1972 CHAPTER 57

An Act to amend the provisions of the National Insurance Act 1965, the National Insurance (Industrial Injuries) Act 1965 and the Industrial Injuries and Diseases (Old Cases) Act 1967 as to the rate or amount of benefit and contributions; to alter the conditions for payment of attendance allowance and unemployability supplement; to modify certain provisions as to the determination of claims and questions under those Acts, and to make other administrative and financial adjustments; to make parallel provision for Northern Ireland; and for purposes connected with those matters.

[9th August 1972]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Weekly rates of benefits under National Insurance Act 1965 and Acts construed therewith. 1965 c. 51. 1971 c. 50.

1.—(1) In the National Insurance Act 1965, in Schedule 3, there shall be substituted the provisions set out in Schedule 1 to this Act for those set out in Schedule 2 to the National Insurance Act 1971.

(2) Unemployment or sickness benefit under section 19(2) of the National Insurance Act 1965 shall be payable—

(*a*) at the higher rate specified in Part I of Schedule 3 to that Act (as from time to time amended)—

(i) in the case of any person over the age of 18, other than a married woman; and

(ii) in the case of a person under the age of 18, other than a married woman, during any period during which that person is entitled to an increase

of benefit in respect of a child or adult dependant; and

(iii) in the case of a married woman during any period falling within subsection (3) below;

(*b*) at the middle rate so specified—

(i) in the case of a married woman over the age of 18 during any period not falling within subsection (3) below; and

(ii) in the case of a married woman under the age of 18 during any period not falling within that subsection during which she is entitled to an increase of benefit in respect of a child or adult dependant;

(*c*) at the lower rate so specified in the case of any person under the age of 18 during any period during which the benefit is not payable at the higher rate or at the middle rate by virtue of paragraph (*a*)(ii) or (iii) or (*b*)(ii) above.

(3) The periods during which unemployment or sickness benefit under section 19(2) of the National Insurance Act 1965 is payable to a married woman at the higher rate are— 1965 c. 51.

(*a*) any period during which she is entitled to an increase of benefit in respect of her husband; and

(*b*) any period during which she is residing with her husband and he is entitled to an invalidity pension, to a retirement pension or to any unemployability supplement or allowance; and

(*c*) any period during which she is not residing with her husband, nor is he contributing to her maintenance at a weekly rate not less than the difference between the higher rate and the middle rate of the benefit, and during which, if she is under the age of 18, she is entitled to an increase of benefit in respect of a child or adult dependant.

In this subsection "unemployability supplement or allowance" means an unemployability supplement payable under section 13 of the National Insurance (Industrial Injuries) Act 1965 and any corresponding allowance payable by virtue of section 7(3)(*a*) of the Industrial Injuries and Diseases (Old Cases) Act 1967, or payable by way of increase of any retired pay or pension exempt from income tax under section 365(1) of the Income and Corporation Taxes Act 1970, or payable under the Personal Injuries (Emergency Provisions) Act 1939. 1965 c. 52. 1967 c. 34. 1970 c. 10. 1939 c. 82.

(4) An invalidity allowance under section 3(5) of the National Insurance Act 1971 shall be payable— 1971 c. 50.

(*a*) at the higher rate specified in Part I of Schedule 3 to the National Insurance Act 1965 (as from time to time amended) if on the qualifying date the beneficiary

was under the age of thirty-five, or if that date fell before 5th July 1948;

(*b*) at the middle rate so specified if paragraph (*a*) above does not apply and on the qualifying date the beneficiary was under the age of forty-five;

(*c*) at the lower rate so specified if paragraphs (*a*) and (*b*) above do not apply, and on the qualifying date the beneficiary was a man under the age of sixty or a woman under the age of fifty-five;

and in 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 reference to the weekly rate of the invalidity allowance to which the pensioner was entitled on the day there mentioned shall be taken, whether that day was or was not before the day this subsection comes into force, as a reference to the rate which is from time to time the higher, middle or lower rate of invalidity allowance according to the one then applicable in his case in accordance with the terms of paragraphs (*a*) to (*c*) above. 1971 c. 50.

(5) In section 2(4) and in section 4(1) of the National Insurance Act 1966, in the words inserted by the amendments made by section 6 of the National Insurance Act 1971 (under which certain earnings-related benefits may include an amount equal to 15 per cent. of the amount, up to £12, by which the relevant earnings exceeded £30) for the words "£12" there shall be substituted, for cases where the tax year there referred to is later than the year 1972-73, the words "£18". 1966 c. 6.

Attendance allowance. 1965 c. 51. 1970 c. 51.

2.—(1) Subject to the provisions of the National Insurance Act 1965, of the National Insurance Act 1970 and of this section, a person shall be entitled to an attendance allowance if he satisfies prescribed conditions as to residence or presence in Great Britain and either—

(*a*) he is so severely disabled physically or mentally that, by day, he requires from another person either—

(i) frequent attention throughout the day in connection with his bodily functions; or

(ii) continual supervision throughout the day in order to avoid substantial danger to himself or others; or

(*b*) he is so severely disabled physically or mentally that, at night, he requires from another person either—

(i) prolonged or repeated attention during the night in connection with his bodily functions; or

(ii) continual supervision throughout the night in order to avoid substantial danger to himself or others.

(2) Subject to the following provisions of this section, the period for which attendance allowance is payable to any person shall be that specified in a certificate issued in respect of him by the Attendance Allowance Board as being—

(*a*) a period throughout which he has satisfied or is likely to satisfy the condition mentioned in subsection (1)(*a*) above or that mentioned in subsection (1)(*b*), or both; and

(*b*) one immediately preceded by a period of not less than six months throughout which he satisfied or is likely to satisfy one or both of those conditions;

and the weekly rate of the attendance allowance payable to a person for any period shall be the higher rate specified in Part I of Schedule 3 to the National Insurance Act 1965 (as from time to time amended) if the certificate states both as regards that period and as regards the preceding six months that he has satisfied or is likely to satisfy both those conditions, and shall be the lower rate so specified if the certificate does not so state.

1965 c. 51.

(3) An attendance allowance shall not be payable to a person for any period preceding the date on which he makes a claim for it; but, except in so far as regulations otherwise provide,—

(*a*) a claim for an attendance allowance may be made during the period of six months mentioned in subsection (2*b*) above, and an award may be made in pursuance of the claim subject to the condition that throughout that period the person to whom the claim relates satisfies the conditions there mentioned or, if the award is at the lower rate, one of those conditions; and

(*b*) an award so made may be reviewed if at any time it is found that during the period of the award or the interval between the making of the award and the beginning of that period the conditions so mentioned were at some time not both satisfied or, in the case of an award at the lower rate, were at some time not either of them satisfied.

(4) Regulations may provide that subsections (1) to (3) of this section, and any provision of the National Insurance Act 1970 (as amended by this section) so far as the provision relates to any of those subsections, shall have effect in relation to any severely disabled person who is under the age of sixteen subject to such modifications as may be prescribed; but nothing in this subsection authorises any increase in the rate of an attendance allowance.

1970 c. 51.

(5) Regulations may provide that an attendance allowance shall not be payable in respect of a person for any period when he is a person for whom accommodation is provided in pursuance of Part III of the National Assistance Act 1948, section 12 of the Health Services and Public Health Act 1968 or Part IV of the Social Work (Scotland) Act 1968 or, in circumstances in which the cost is or may be borne wholly or partly out of public or local funds, in pursuance of any other enactment relating to persons under disability or young persons or to education or training. 1948 c. 29. 1968 c. 46. 1968 c. 49.

(6) In the National Insurance Act 1970, the references in section 5(1)(*a*) and (*b*) to that Act shall include this Act and any other enactment relating to national insurance, the reference in section 6(2) to paragraph (*a*) or paragraph (*b*) of section 4(2) of that Act shall have effect as a reference to paragraph (*a*) or paragraph (*b*) of subsection (1) of this section and the reference in section 6(3)(*c*) to section 4(3) of that Act shall have effect as a reference to subsection (2) of this section.

Contributions under National Insurance Act 1965.

3.—(1) In the National Insurance Act 1965, in Schedule 1, there shall be substituted the provisions set out in Schedule 2 to this Act for those set out in Schedule 1 to the National Insurance Act 1971; and there shall be paid out of moneys provided by Parliament any increase resulting from this subsection in the sums so payable by way of Exchequer supplement under section 7 of the National Insurance Act 1965. 1965 c. 51. 1971 c. 50.

(2) In section 4(1) of the National Insurance Act 1965, in the paragraph (*c*) inserted by the amendment made by section 1(2) of the National Insurance Act 1969 (whereby, as it was originally enacted, the amount of any graduated contribution included 3¼ per cent. of any amount, up to £12, by which the relevant payment of remuneration exceeded £18), for the words "3¼ per cent." and "£12" there shall be substituted the words "4·75 per cent." and "£30", instead of the 4·35 per cent. and £24 substituted by section 1(3) of the National Insurance Act 1971. 1969 c. 44.

(3) The contributions to be paid under the National Insurance Act 1965 out of moneys provided by Parliament shall include, in addition to the Exchequer supplements, in respect of each financial year after the year 1971-72 the sum of £190 million, instead of the amounts required by section 1(5) of the National Insurance Act 1971; and the contributions under this subsection shall be paid in such manner and at such times as the Treasury may determine.

Industrial injuries and diseases (benefits and contributions).

4.—(1) In the National Insurance (Industrial Injuries) Act 1965, in Schedule 3, there shall be substituted the provisions set out in Schedule 3 to this Act for those set out in Schedule 4 to the National Insurance Act 1971.

1965 c. 52.

(2) A widow's pension under section 19 of the National Insurance (Industrial Injuries) Act 1965 shall be payable—

(*a*) at the initial rate specified in Schedule 3 to that Act (as from time to time amended) for the period of twenty-six weeks next following the deceased's death; and

(*b*) after the end of that period, at the higher permanent rate so specified in cases to which section 19(3)(*a*) to (*e*) of that Act apply and at the lower permanent rate so specified in any other case;

but, if the deceased and his widow were not residing together at his death, the weekly rate of such a pension shall not exceed the aggregate weekly rate of the periodical payments for her maintenance referred to in section 19(1).

Accordingly in that section for the words of subsection (3) preceding paragraph (*a*) there shall be substituted the words "The higher permanent rate of pension under this section shall be applicable", and there shall be omitted in subsection (3) the words following paragraph (*e*) and subsection (4).

(3) In section 13(2) of the National Insurance (Industrial Injuries) Act 1965 (earnings level that does not disqualify for unemployability supplement) for the words "if it is likely to prevent his earnings in a year exceeding £104" there shall be substituted the words "if it is likely to prevent his earnings in a year exceeding a prescribed amount not less than £104".

1967 c. 34.

1971 c. 50.

(4) In the Industrial Injuries and Diseases (Old Cases) Act 1967 the words "£4.10" (instead of the words "£3.65" substituted by section 11(1) of the National Insurance Act 1971) shall be substituted—

(*a*) for the rate specified in section 2(6)(*c*) (maximum weekly rate of a lesser incapacity allowance supplementing workmen's compensation); and

(*b*) for the rate specified in section 7(2)(*b*) (industrial diseases benefit schemes: weekly rate of an allowance payable where disablement is not total).

(5) In Part I of Schedule 2 to the National Insurance (Industrial Injuries) Act 1965, as amended by the National Insurance Act 1971, in column 3 (which sets out the weekly rates of employers' contributions under the Act), the rate of 6p. applicable where the insured person is a man over the age of 18 shall be amended to 7p.; and there shall be paid out

of moneys provided by Parliament any increase resulting from this amendment in the contributions so payable under section 2(1)(*b*) of the National Insurance (Industrial Injuries) Act 1965. 1965 c. 52.

Finality of decisions. 1965 c. 51.

5.—(1) The provision contained in section 75(1) of the National Insurance Act 1965, and the corresponding provision in section 50(1) of the National Insurance (Industrial Injuries) Act 1965, that the decision of a claim or question as there mentioned is to be final shall not make any finding of fact or other determination embodied in or necessary to a decision, or on which it is based, conclusive for the purpose of any further decision.

(2) A decision (given under section 48(2) of the National Insurance (Industrial Injuries) Act 1965 or otherwise) that an accident was an industrial accident is to be taken as determining only that paragraphs (*a*), (*b*) and (*c*) of section 48(5) are satisfied in relation to the accident, and neither any such decision nor the reference to a medical board or medical appeal tribunal under section 37 of that Act of the disablement questions in connection with any claim to or award of disablement benefit is to be taken as importing a decision as to the origin of any injury or disability suffered by the claimant, whether or not there is an event identifiable as an accident apart from any injury that may have been received; but—

(*a*) a decision that on a particular occasion when there was no such event a person had an industrial accident by reason of an injury shall be treated as a decision that if the injury was suffered by accident on that occasion, the accident was an industrial accident; and

(*b*) a decision that an accident was an industrial accident may be given, and a declaration to that effect be made and recorded in accordance with section 48, without its having been found that personal injury resulted from the accident (saving always the discretion under section 48(3) to refuse to determine the question if it is unlikely to be necessary for the purposes of a claim for benefit).

(3) Notwithstanding anything in subsection (1) or (2) above (but subject to the provisions of Part III of the National Insurance (Industrial Injuries) Act 1965 as to appeal and review), where for purposes of disablement benefit in respect of an accident it has been found by a medical board or medical appeal tribunal, on the determination or last determination of the disablement questions, that an injury resulted in whole or in part from the accident, then for purposes of death benefit in respect of that accident (including benefit on a death occurring before the passing of this Act) the finding shall be conclusive that the injury did so result.

The reference in this subsection to a medical board includes a medical practitioner determining disablement questions on a reference under section 41 of the National Insurance (Industrial Injuries) Act 1965.

1965 c. 52.

(4) In section 57(2) of the National Insurance (Industrial Injuries) Act 1965 (which relates to claims to and awards of benefit for industrial diseases and for industrial injuries not caused by accident) the reference to Part III of that Act shall include a reference to this section.

(5) This section shall apply as regards the effect to be given in any proceedings to any decision, or to a reference under section 37 of the National Insurance (Industrial Injuries) Act 1965, whether the decision was given or reference made or the proceedings were commenced before or after the passing of this Act, except that it shall not affect the determination of any appeal under section 42 of that Act from a decision of a medical appeal tribunal given before the passing of this Act, nor affect any proceedings consequent on such an appeal from a decision so given; and accordingly—

(*a*) any decision given before the passing of this Act that a claimant was not entitled to industrial death benefit may be reviewed in accordance with Part IV of the National Insurance Act 1965 to give effect to subsection (3) above; and

1965 c. 51.

(*b*) the references in subsections (1) and (2) above to provisions of the National Insurance Act 1965 or the National Insurance (Industrial Injuries) Act 1965 shall, so far as necessary, include the corresponding provisions of previous Acts.

Minor amendments, financial provisions and commencement.

6.—(1) Section 11(1)(*a*) to (*d*) of the National Insurance Act 1966 (which, among other things, enable regulations to provide for claims and decisions about sickness benefit to be made or operate prospectively) shall apply in relation to invalidity benefit as they apply in relation to sickness benefit.

1966 c. 6.

(2) The power under section 12(3) of the National Insurance Act 1966 (adjustments in respect of expenses falling on the National Insurance Fund, or Industrial Injuries Fund, and on moneys provided by Parliament respectively) to make orders specifying the cases or classes of case in which the powers of the subsection may be used shall include power to vary or revoke previous orders under the subsection.

1971 c. 50.

(3) For section 13(2)(*d*) of the National Insurance Act 1971 (which includes among benefits payable out of moneys provided by Parliament instead of the National Insurance Fund age

addition where the right to it depends solely on entitlement to a retirement pension so payable) there shall be substituted—

" (*d*) age addition where there would be no right to the benefit without section 1 of the Act of 1970 or section 5(1) of this Act ; "

and in section 13(3) of that Act (which excepts from reimbursement out of the National Insurance Fund administrative expenses incurred in carrying into effect any provisions of that Act relating to the benefits specified in section 13(2)) there shall be added at the end the words " or any other enactment relating to those benefits ".

(4) There shall be paid out of moneys provided by Parliament—

(*a*) any increase attributable to section 1 or 2 above in the sums so payable on account of benefit by virtue of section 13(1) and (2) of the National Insurance Act 1971 ; and 1971 c. 50.

(*b*) subject to the provision made by section 85 of the National Insurance Act 1965 for reimbursement out of the National Insurance Fund, or by section 61 of the National Insurance (Industrial Injuries) Act 1965 for reimbursement out of the Industrial Injuries Fund, any increase attributable to this Act in the expenses of the Secretary of State or any other Government department which are so payable under either of those sections. 1965 c. 51. 1965 c. 52.

Any reference in paragraph (*b*) above to section 61 of the National Insurance (Industrial Injuries) Act 1965 shall include that section as applied by section 13 of the Industrial Injuries and Diseases (Old Cases) Act 1967. 1967 c. 34.

(5) Schedule 4 to this Act shall have effect with respect to the commencement of this Act and with respect to the transitory matters dealt with in that Schedule.

Provisions as to Northern Ireland.

7.—(1) With a view to making for Northern Ireland provision parallel to that made by this Act for Great Britain, this Act shall extend to Northern Ireland, subject to the adaptations provided for by Schedule 5 ; but—

(*a*) in section 104 of the National Insurance Act 1965 and section 83 of the National Insurance (Industrial Injuries) Act 1965 (which provide for establishing unified systems of insurance in Great Britain and Northern Ireland) references to Northern Irish legislation shall be deemed to include this Act as it applies to Northern Ireland ; and

(*b*) this Act shall, in so far as it relates to matters in respect of which the Parliament of Northern Ireland has power to make laws, be deemed for the purposes of section 6 of the Government of Ireland Act 1920 to have been passed before the day referred to in that section as the appointed day.

1920 c. 67.

1954 c. 33 (N.I.).

(2) The Interpretation Act (Northern Ireland) 1954 shall apply for the purposes of the interpretation of this Act in its application to Northern Ireland as that Act applies for the purposes of the interpretation of an Act of the Parliament of Northern Ireland.

Citation, construction and repeals.

8.—(1) This Act may be cited as the National Insurance Act 1972.

(2) This Act as it applies to Great Britain—

(*a*) shall be included among the Acts that may be cited as the National Insurance Acts 1965 to 1972 and, so far as this Act relates to the subject matter of those Acts, shall be construed as one with the National Insurance Act 1965; and

1965 c. 51.

(*b*) may be cited with the National Insurance (Industrial Injuries) Acts 1965 to 1971 as the National Insurance (Industrial Injuries) Acts 1965 to 1972 and, so far as this Act relates to the subject matter of those Acts, shall be construed as one with the National Insurance (Industrial Injuries) Act 1965; and

1965 c. 52.

(*c*) may be cited with the Industrial Injuries and Diseases (Old Cases) Acts 1967 to 1971 as the Industrial Injuries and Diseases (Old Cases) Acts 1967 to 1972.

(3) This Act as it applies to Northern Ireland—

(*a*) shall be included among the Acts that may be cited as the National Insurance Acts (Northern Ireland) 1966 to 1972 and, so far as this Act relates to the subject matter of those Acts, shall be construed as one with the National Insurance Act (Northern Ireland) 1966; and

1966 c. 6 (N.I.).

(*b*) may be cited with the National Insurance (Industrial Injuries) Acts (Northern Ireland) 1966 to 1971 as the National Insurance (Industrial Injuries) Acts (Northern Ireland) 1966 to 1972 and, so far as this Act relates to the subject matter of those Acts, shall be construed as one with the National Insurance (Industrial Injuries) Act (Northern Ireland) 1966; and

1966 c. 9 (N.I.).

(*c*) may be cited with the Workmen's Compensation (Supplementation) Acts (Northern Ireland) 1966 to 1971 as the Workmen's Compensation (Supplementation) Acts (Northern Ireland) 1966 to 1972.

(4) The National Insurance (Old persons' and widows' pensions and attendance allowance) Act 1970 and the National Insurance (Old Persons' and Widows' Pensions and Attendance Allowance) Act (Northern Ireland) 1970 are cited in this Act as the National Insurance Act 1970 and the National Insurance Act (Northern Ireland) 1970 respectively, and may be so cited in any other Act or instrument. 1970 c. 51. 1970 c. 28 (N.I.).

(5) Subject to any transitional provisions in Schedule 4 to this Act, the enactments mentioned in Schedule 6 are hereby repealed to the extent specified in column 3 of the Schedule.

SCHEDULES

Section 1.

SCHEDULE 1

1965 c. 51.

PROVISIONS TO BE SUBSTITUTED IN SCHEDULE 3 TO NATIONAL INSURANCE ACT 1965

RATES OF PERIODICAL BENEFITS AND OF INCREASES FOR DEPENDANTS

PART I

WEEKLY RATES OF PERIODICAL BENEFITS

Description of benefit	Weekly rate
1. Unemployment or sickness benefit under section 19(2)	(*a*) higher rate ... ... £6·75 (*b*) middle rate ... ... £4·75 (*c*) lower rate ... ... £3·70 (the appropriate rate being chosen in accordance with National Insurance Act 1972 section 1(2)).
2. Invalidity pension	£6·75
3. Invalidity allowance ...	(*a*) higher rate ... ... £1·15 (*b*) middle rate ... ... £0·70 (*c*) lower rate ... ... £0·35 (the appropriate rate being chosen in accordance with National Insurance Act 1972 section 1(4)).
4. Attendance allowance ...	(*a*) higher rate ... ... £5·40 (*b*) lower rate ... ... £3·60 (the appropriate rate being chosen in accordance with National Insurance Act 1972 section 2(2)).
5. Maternity allowance ...	£6·75
6. Widow's allowance ...	£9·45
7. Widowed mother's allowance.	£6·75
8. Widow's pension	£6·75
9. Guardian's allowance ...	£3·30
10. Retirement pension payable by virtue of this Act and not by virtue of any enactment directed to be construed as one with this Act.	(*a*) where the pension is payable to a woman by virtue of her husband's insurance and he is alive ... £4·15 (*b*) in any other case ... ... £6·75

SCH. 1

Description of benefit	Weekly rate
11. Retirement pension payable by virtue of paragraph (*a*) or paragraph (*b*) of section 1(1) of the National Insurance Act 1970 or by virtue of section 5 of the National Insurance Act 1971.	(*a*) except where head (*b*) below applies £4·05 (*b*) where the pension is payable to a married woman who has not, at any time since she first became entitled to the pension, ceased to be a married woman ... ... £2·50
12. Age addition	£0·25
13. Child's special allowance ...	£3·30

1970 c. 51.
1971 c. 50.

PART II

WEEKLY RATES OF INCREASES FOR DEPENDANTS

Benefit to which increase applies (1)	Increase for only, elder or eldest qualifying child (2)	Increase for second qualifying child (3)	Increase for each additional qualifying child (4)	Increase for adult dependant (where payable) (5)
	£	£	£	£
1. Unemployment or sickness benefit under section 19(2) or (3)	2·10	1·20	1·10	4·15
2. Invalidity pension	3·30	2·40	2·30	4·15
3. Maternity allowance	2·10	1·20	1·10	4·15
4. Widow's allowance	3·30	2·40	2·30	—
5. Widowed mother's allowance	3·30	2·40	2·30	—
6. Retirement pension payable by virtue of this Act and not by virtue of any enactment directed to be construed as one with this Act	3·30	2·40	2·30	4·15
7. Retirement pension payable by virtue of paragraph (*a*) or paragraph (*b*) of section 1(1) of the National Insurance Act 1970	3·30	2·40	2·30	2·50
8. Child's special allowance	—	2·40	2·30	—

Where any unemployment or sickness benefit is payable at a weekly rate determined under section 19(3) of this Act, column (5) of this Part of this Schedule shall have effect subject to section 43(3)(*b*) of this Act, and where an invalidity pension is payable at a weekly rate determined under section 3(4) of the National Insurance Act 1971, the said column (5) shall have effect subject to section 43A(8)(*b*) of this Act.

Section 3.

SCHEDULE 2

PROVISIONS TO BE SUBSTITUTED IN SCHEDULE 1 TO NATIONAL INSURANCE ACT 1965

1965 c. 51.

RATES OF FLAT-RATE CONTRIBUTIONS

PART I

Employed persons

Description of employed person	Weekly Rate of Contribution	
	Unless by virtue of a non-participating employment	If by virtue of a non-participating employment
1	2	3
	£	£
Men between the ages of 18 and 70 (other than men over the age of 65 who have retired from regular employment) ...	0·672	0·792
Women between the ages of 18 and 65 (other than women over the age of 60 who have retired from regular employment)	0·585	0·665
Boys under the age of 18	0·461	—
Girls under the age of 18	0·381	—

PART II

SCH. 2

Employers

Description of employed person	Weekly Rate of Contribution	
	Unless by virtue of a non-participating employment	If by virtue of a non-participating employment
1	2	3
	£	£
Men over the age of 18	0·834	0·954
Women over the age of 18	0·728	0·808
Boys under the age of 18	0·587	—
Girls under the age of 18	0·497	—

For the purposes of this Part of this Schedule a person over pensionable age, not being an insured person, shall be treated as an employed person if he would be an insured person were he under pensionable age and would be an employed person were he an insured person.

PART III

Self-employed persons

Description of self-employed person	Weekly Rate of Contribution
1	2
	£
Men between the ages of 18 and 70 (other than men over the age of 65 who have retired from regular employment)	1·513
Women between the ages of 18 and 65 (other than women over the age of 60 who have retired from regular employment)	1·267
Boys under the age of 18	0·862
Girls under the age of 18	0·722

SCH. 2

PART IV

Non-employed persons

Description of non-employed person 1	Weekly Rate of Contribution 2
	£
Men between the ages of 18 and 65	1·163
Women between the ages of 18 and 60	0·907
Boys under the age of 18	0·662
Girls under the age of 18	0·522

Section 4.

SCHEDULE 3

PROVISIONS TO BE SUBSTITUTED IN SCHEDULE 3 TO NATIONAL INSURANCE (INDUSTRIAL INJURIES) ACT 1965

1965 c. 52.

RATE OR AMOUNT OF BENEFIT ETC.

Description of benefit, etc.	Amount
1. Injury benefit under s. 11 (weekly rate).	(*a*) for any period during which the beneficiary is over the age of 18 or is entitled to an increase of benefit in respect of a child or adult dependant £9·50 (*b*) for any period during which the beneficiary is not over the age of 18 and not entitled as aforesaid £6·20
2. Maximum disablement gratuity under s. 12(3).	£740
3. Disablement pension under s. 12(5) (weekly rate).	For the several degrees of disablement set out in column 1 of the following Table, the respective amounts in that Table, using— (*a*) column 2 for any period during which the beneficiary is over the age of 18 years or is entitled to an increase of benefit in respect of a child or adult dependant; (*b*) column 3 for any period during which the beneficiary is not over the age of 18 and not entitled as aforesaid.

TABLE

SCH. 3

Degree of disablement (1)	Amount (2)	Amount (3)
per cent.	£	£
100	11·20	6·80
90	10·08	6·12
80	8·96	5·44
70	7·84	4·76
60	6·72	4·08
50	5·60	3·40
40	4·48	2·72
30	3·36	2·04
20	2·24	1·36

Description of benefit, etc.	Amount
4. Unemployability supplement under s. 13 (increase of weekly rate of disablement pension).	£6·75
4A. Increase under s. 13A of unemployability supplement (early onset of incapacity for work).	(*a*) if on the qualifying date the beneficiary was under the age of 35, or if that date fell before 5th July 1948 £1·15 (*b*) if head (*a*) above does not apply and on the qualifying date the beneficiary was under the age of 45 ... £0·70 (*c*) if heads (*a*) and (*b*) above do not apply, and on the qualifying date the beneficiary was a man under the age of 60, or a woman under the age of 55 ... ... £0·35
5. Maximum increase under s. 14 of weekly rate of disablement pension in cases of special hardship.	£4·48 or the amount (if any) by which the weekly rate of the pension, apart from any increase under s. 15, 17 or 18 of this Act or under section 6 of the National Insurance Act 1966, falls short of £11·20, whichever is the less. 1966 c. 6.
6. Maximum increase under s. 15 of weekly rate of disablement pension where constant attendance needed.	(*a*) except in cases of exceptionally severe disablement ... £4·50 (*b*) in any case ... ... £9·00
6A. Increase under s. 6(1) of National Insurance Act 1966 of disablement pension (exceptionally severe disablement).	£4·50

SCH. 3

Description of benefit, etc.	Amount
7. Increase under s. 17 of weekly rate of benefit in respect of children, except where beneficiary is entitled to unemployability supplement.	(*a*) in respect of only, elder or eldest child of beneficiary's family £2·10 (*b*) in respect of second child of beneficiary's family ... ... £1·20 (*c*) in respect of each additional child of beneficiary's family ... £1·10
7A. Increase under s. 17 of weekly rate of disablement pension in respect of children where beneficiary is entitled to unemployability supplement.	(*a*) in respect of only, elder or eldest child of beneficiary's family £3·30 (*b*) in respect of second child of beneficiary's family ... ... £2·40 (*c*) in respect of each additional child of beneficiary's family ... £2·30
8. Increase under s. 18 of weekly rate of injury benefit or disablement pension in respect of adult dependant.	£4·15
9. Widow's pension under s. 19—	
(*a*) initial rate	£9·45
(*b*) higher permanent rate ...	£7·30
(*c*) lower permanent rate ...	30% of the weekly rate for the time being of a widow's pension under the National Insurance Act 1965 as specified in Schedule 3 to that Act.
10. Widower's pension under s. 20 (weekly rate).	£7·30
11. Allowance under s. 21 in respect of children of deceased's family—	
(*a*) weekly rate of allowance under s. 21(1).	(i) in respect of only, elder or eldest qualifying child ... ... £2·10 (ii) in respect of second qualifying child ... ... £1·20 (iii) in respect of each additional qualifying child ... ... £1·10
(*b*) increase under s. 21(2)...	£1·20
12. Maximum under s. 29(1)(*a*) of aggregate of weekly benefit payable for successive accidents.	(*a*) for any period during which the beneficiary is over the age of 18 or is entitled to an increase of benefit in respect of a child or adult dependant £11·20 (*b*) for any period during which the beneficiary is not over the age of 18 and not entitled as aforesaid £6·80

1965 c. 51.

SCHEDULE 4

Sections 6 and 8.

COMMENCEMENT AND TRANSITORY PROVISIONS

PART I

GENERAL

Commencement of this Act

1.—(1) The provisions of this Act, except section 5, shall not come into force until such date or dates as the Secretary of State may by order appoint for those provisions or any of them.

(2) Different days may be appointed under this paragraph for different purposes of the relevant provisions (that is to say, the provisions to which sub-paragraph (1) above applies) or for the same purposes in relation to different cases or classes of case; and if that is done, or if different days are appointed for different provisions, then—

(*a*) an order under this paragraph may contain such incidental or supplemental provisions as appear to the Secretary of State to be necessary or expedient as respects the period or any part of the period when the relevant provisions are to have a partial operation only, and, in particular, may contain provisions modifying and supplementing, in relation to the period to which the order is to apply, the relevant provisions or the provisions of any Act amended by this Act; and

(*b*) any provision made in pursuance of paragraph (*a*) above may be varied or revoked by a subsequent order of the Secretary of State.

(3) Section 107(4) of the National Insurance Act 1965 (which provides for orders under that Act to be subject to annulment in pursuance of a resolution of either House of Parliament) shall not apply to any order under this paragraph, but a statutory instrument containing any such order shall be laid before Parliament after being made. 1965 c. 51.

Regulations and schemes: temporary exclusion of certain requirements

2.—(1) Section 108 of the National Insurance Act 1965 (which requires a preliminary draft of regulations to be submitted to the National Insurance Advisory Committee before the regulations are made or, in certain cases, before a draft is laid before Parliament) and section 62(2) of the National Insurance (Industrial Injuries) Act 1965 (which requires a proposal to make regulations to be referred to the Industrial Injuries Advisory Council for consideration and advice) shall not apply to regulations made, or to a draft of regulations laid, before the expiration of six months beginning with the date of the passing of this Act if the instrument containing the regulations or, as the case may be, the draft states that the regulations contain no provisions other than such as— 1965 c. 52.

(*a*) are made in consequence of this Act; or

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(*b*) operate with reference to the amount of a person's earnings, and are made under one or more of the following provisions (which relate to the classification of insured persons or the liability to contributions, and to days which count for unemployment benefit, sickness benefit or invalidity benefit as days of interruption of employment), that is to say—

1965 c. 51. 1965 c. 52.

(i) sections 1(3) and 8(5) of the National Insurance Act 1965 and section 3(3)(*b*) of the National Insurance (Industrial Injuries) Act 1965; and

(ii) section 20(2) of the National Insurance Act 1965.

(2) The following enactments, that is to say—

(*a*) section 107(1) of the National Insurance Act 1965; and

(*b*) section 85(4) of the National Insurance (Industrial Injuries) Act 1965; and

1967 c. 34.

(*c*) section 4(8)(*a*) of the Industrial Injuries and Diseases (Old Cases) Act 1967;

shall not require a draft of any regulations, order or scheme to be laid before Parliament or approved by resolution of either House before the making of the regulations, order or scheme, if the regulations, order or scheme are or is made before the expiration of six months beginning with the date of the passing of this Act, and if the instrument containing the regulations, order or scheme states that they or it are or is made in consequence of this Act; but where any of those enactments would otherwise so require, the instrument containing the regulations, order or scheme shall instead be subject to annulment in pursuance of a resolution of either House of Parliament.

PART II

ATTENDANCE ALLOWANCE

3. In relation to attendance allowance paragraph 1 above shall have effect subject to the provisions of this Part of this Schedule (but without prejudice to the power under that paragraph to make further incidental or supplemental provision).

4.—(1) A day shall be appointed so that section 2(1) of this Act shall come into force as soon as practicable after the passing of this Act.

(2) A second day shall be appointed for the higher rate of attendance allowance to replace the rate fixed by the National Insurance Act 1971.

1971 c. 50.

(3) Four later days shall be appointed for the coming into force of section 2 so as to authorise payment of attendance allowance at the lower rate for persons of the following categories successively in the order here given, that is to say,—

Category 1: Persons born in any of the years 1908–1956;

Category 2: Persons born after the year 1956;

Category 3: Persons born in any of the years 1898–1907;

Category 4: Persons born before the year 1898.

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5.—(1) On and after the day appointed in accordance with paragraph 4(1) above, section 2(1) of this Act shall replace section 4(2) of the National Insurance Act 1970 for all purposes, and be applicable to periods before that day as well as to any later period; but for periods before the day appointed in accordance with paragraph 4(2) above an attendance allowance shall be payable only in cases where in accordance with the terms of section 2 of this Act it would be payable at the higher rate and, if the period is also before the day appointed in accordance with paragraph 4(1), would be payable at that rate by reason either of the condition in section 2(1)(*a*)(i) and that in section 2(1)(*b*)(i) being satisfied or of the condition in section 2(1)(*a*)(ii) and that in section 2(1)(*b*)(ii) being satisfied, and where the required certificate is framed accordingly. 1970 c. 51.

(2) Where before the day appointed in accordance with paragraph 4(1) above there has been issued under section 4(3) of the National Insurance Act 1970 a certificate of a person having satisfied or being likely to satisfy one of the conditions mentioned in section 4(2)(*a*) and (*b*) of that Act, then on and after that day the certificate shall have effect as a certificate under section 2(2) of this Act of his having satisfied or being likely to satisfy both the condition mentioned in section 2(1)(*a*)(i) and that mentioned in section 2(1)(*b*)(i) or, as the case may be, both the condition mentioned in section 2(1)(*a*)(ii) and that mentioned in section 2(1)(*b*)(ii).

6. On and after the day appointed in accordance with paragraph 4(3) above for the payment of attendance allowance at the lower rate to persons of Category 1 a person not of that category shall for purposes of section 2 of this Act be treated as belonging to it if either—

(*a*) an attendance allowance is payable in respect of him immediately before that day or at any time thereafter; or

(*b*) an attendance allowance having been payable in respect of him at some earlier time he has throughout the interval between its ceasing to be so payable and that day satisfied one or other of the conditions mentioned in section 2(1)(*a*) and section 2(1)(*b*) of this Act;

but an attendance allowance at the lower rate shall not by virtue of sub-paragraph (*a*) above be payable in respect of a person for any period before the time when he first satisfies the conditions of this paragraph.

7. Any regulations in force under section 4(2), (4) or (5) of the National Insurance Act 1970 at the time when that subsection is repealed by this Act shall thereafter have effect, with any necessary adaptations, as if made under the corresponding provision of section 2 of this Act.

Section 7.

SCHEDULE 5

ADAPTATIONS FOR NORTHERN IRELAND

Introductory

1. In sections 1 to 6 of and Schedules 1 to 4 to this Act, in their application to Northern Ireland by virtue of section 7(1), there shall be made the adaptations provided for by this Schedule.

References to Acts amended

2.—(1) For any of the Acts specified in column 1 of the Table set out in this sub-paragraph there shall be substituted the Act or Order specified in relation thereto in column 2.

TABLE

1965 c. 51. 1966 c. 6 (N.I.).	The National Insurance Act 1965.	The National Insurance Act (Northern Ireland) 1966.
1965 c. 52. 1966 c. 9 (N.I.).	The National Insurance (Industrial Injuries) Act 1965.	The National Insurance (Industrial Injuries) Act (Northern Ireland) 1966.
1966 c. 6. 1966 c. 16 (N.I.).	The National Insurance Act 1966.	The National Insurance (No. 2) Act (Northern Ireland) 1966.
1967 c. 34. 1966 c. 14 (N.I.).	The Industrial Injuries and Diseases (Old Cases) Act 1967, where it is named in section 4(4) of this Act.	The Workmen's Compensation (Supplementation) Act (Northern Ireland) 1966.
1969 c. 44. 1969 c. 19 (N.I.).	The National Insurance Act 1969.	The National Insurance &c. (No. 2) Act (Northern Ireland) 1969.
1970 c. 51. 1970 c. 28 (N.I.).	The National Insurance Act 1970.	The National Insurance Act (Northern Ireland) 1970.
1971 c. 50. 1971 No. 224 (N.I.).	The National Insurance Act 1971.	The Social Services (Parity) Order (Northern Ireland) 1971.

(2) The word "Act" and the word "section", where used with reference to the National Insurance Act 1971, shall be replaced by the word "Order" and the word "Article"; and in the case of the Acts mentioned in the Table set out in this sub-paragraph for references to the provisions specified in column 1 there shall be substituted the references in column 2 (being the corresponding references where the numbering differs in the Act or Order substituted by sub-paragraph (1) above).

TABLE

1965 c. 51.	The National Insurance Act 1965:—	
	Section 19(2) or section 19(3).	Section 18(2) or section 18(3).
	Section 43(3)(*b*).	Section 42(3)(*b*).
	Section 43A(8)(*b*).	Section 42A(8)(*b*).
	Section 75(1).	Section 74(1).
	Section 107(4).	Section 101(3).

The National Insurance (Industrial Injuries) Act 1965:— 1965 c. 52.

Section 12(3) or section 12(5).	Section 12(4) or section 12(6).
Section 48, section 48(2), section 48(3) or section 48(5).	Section 47, section 47(2), section 47(3) or section 47(5).
Section 50(1).	Section 49(1).
Section 57(2).	Section 55(2).

The National Insurance Act 1971:— 1971 c. 50.

Section 1(3).	Article 1(2).
Section 11(1).	Article 11.

Omissions

3. There shall be omitted—

(*a*) in section 3(1) and in section 4(5) the words from " and " onwards, and section 6(4);

(*b*) section 4(4)(*b*), together with the " and " at the end of section 4(4)(*a*);

(*c*) in section 5(5) the words from " except " to " so given ";

(*d*) section 6(2);

(*e*) paragraph 2 of Schedule 4.

Miscellaneous adaptations

4. In section 2—

(*a*) in subsection (1) for the words " Great Britain " there shall be substituted the words " Northern Ireland ";

(*b*) in subsection (2) after the words " Attendance Allowance Board " there shall be inserted the words " for Northern Ireland ";

(*c*) in subsection (5) for the words from " Part III " to " Social Work (Scotland) Act 1968 " there shall be substituted the words " the Welfare Services Act (Northern Ireland) 1971 ". 1968 c. 49. 1971 c. 2 (N.I.).

5. For section 3(3) there shall be substituted—

" (3) The contributions to be paid to the Northern Ireland National Insurance Fund in pursuance of Article 1(4) of the Social Services (Parity) Order (Northern Ireland) 1971 in respect of each financial year after the year 1971–72 shall include the sum of £2·2 million, instead of the amounts provided for by Article 1(4)." 1971 No. 244 (N.I.).

6. In Schedule 4—

(*a*) in paragraph 1, for the words " Secretary of State ", wherever occurring, there shall be substituted the words " Minister of Health and Social Services for Northern Ireland "; and

(*b*) in paragraph 1(3) after the words " House of Parliament) " there shall be inserted the words " and section 80(2) of the National Insurance (Industrial Injuries) Act (Northern Ireland) 1966 (which makes like provision) ". 1966 c. 9 (N.I.).

Section 8

SCHEDULE 6

REPEALS

PART I

REPEALS RELATING TO GREAT BRITAIN

Chapter	Short Title	Extent of Repeal
1965 c. 52.	The National Insurance (Industrial Injuries) Act 1965.	In section 19, subsection (3) from "and in any other case" onwards, and subsection (4).
1966 c. 6.	The National Insurance Act 1966.	Section 5(5).
1970 c. 51.	The National Insurance Act 1970.	Section 4(2) to (5). Section 6(1). Section 7(3).
1971 c. 50.	The National Insurance Act 1971.	Section 1(1) to (3) and (5). Section 2(1). Section 8(1). Section 11(1). Schedules 1, 2 and 4. In Schedule 5 paragraph 12(2).

PART II

REPEALS RELATING TO NORTHERN IRELAND

Chapter or number	Short Title	Extent of Repeal
1966 c. 9 (N.I.).	The National Insurance (Industrial Injuries) Act (Northern Ireland) 1966.	In section 19, subsection (3) from "and in any other case" onwards, and subsection (4).
1966 c. 16 (N.I.).	The National Insurance (No. 2) Act (Northern Ireland) 1966.	Section 5(5).
1970 c. 28 (N.I.).	The National Insurance Act (Northern Ireland) 1970.	Section 4(2) to (5). Section 6(1). Section 7(3).
1971 No. 224 (N.I.).	The Social Services (Parity) Order (Northern Ireland) 1971.	Article 1(1) and (2). Article 2(1). Article 8(1). Article 11. Schedules 1, 2 and 4. In Schedule 5 paragraph 11(2).