The National Insurance (Approved Societies and Miscellaneous Provisions) Regulations, 1948

1948 No. 1394

Made - - - -	*23rd June*, 1948
Laid before Parliament	*28th June*, 1948
Coming into Operation	*3rd July*, 1948

M.N.I.136.

The National Insurance Joint Authority, in conjunction with the Treasury, in exercise of the powers conferred by section 69 of the National Insurance Act, 1946, and of all other powers enabling them in that behalf, hereby make the following regulations:— 9 & 10 Geo. 6. c. 67.

1.—(1) These regulations may be cited as the National Insurance (Approved Societies and Miscellaneous Provisions) Regulations, 1948, and shall come into operation on the 3rd July, 1948. Citation, commencement and interpretation.

(2) In these regulations, unless the context otherwise requires—

" the Insurance Act " means the National Health Insurance Act, 1936; 26 Geo. 5. & 1 Edw. 8. c. 32.

" the Minister " means the Minister of National Insurance;

" approved society " means a society (including any branch thereof recognised by the Minister under the Insurance Act) which has been approved under the Insurance Act but only in relation to its functions under that Act, and any separate section of a society established for the purposes of that Act;

and other expressions have the same meanings as in the Insurance Act or the National Insurance Act, 1946, as the case may require.

(3) References in these regulations to any enactment shall include references to such enactment as amended by any subsequent enactment, order or regulations.

(4) The Interpretation Act, 1889, applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament. 52 & 53 Vict. c. 63.

(5) These regulations do not apply to Northern Ireland.

2. Every approved society shall be dissolved on the appointed day(a) and thereafter as soon as may be its affairs shall be wound up by the Minister. Dissolution of approved societies on the appointed day.

3. The Minister may appoint for such period as he may direct such person or persons or body corporate or unincorporated association of persons for the purpose of such winding up as he may determine, and provide for the payment of such salaries or remuneration to any such person or persons or body and of such expenses incurred in connection with the said winding up, as he may consider necessary. Arrangements for winding up affairs of approved societies.

(a) 5th July, 1948. *See* S.I. 1948 No. 54, p. 2615 above.

Balancing and audit of accounts.

4.—(1) The books and accounts of all approved societies and insurance committees shall be made up as at the appointed day, and shall be audited by auditors appointed by the Treasury in the same manner as if the Insurance Act had not been repealed.

(2) For the purposes of any such audit the Minister, the Minister of Health, the Secretary of State for Scotland and the auditors shall have the same powers and duties (including in particular any powers as to disallowance and surcharge) in relation to the said accounts as they would have had respectively under the Insurance Act and the regulations made thereunder if that Act had not been repealed.

Modifications of regulations.

5. Notwithstanding anything contained in section 102 of the Insurance Act (which section relates to administration expenses of approved societies), the provisions of the regulations mentioned in the first column of the Schedule to these regulations shall have effect subject to the modifications specified in the third column.

Dissolution of consultative councils on the appointed day.

6. The consultative council established for England under section 4 of the Ministry of Health Act, 1919, and the consultative council established for Scotland under section 5 of the Scottish Board of Health Act, 1919, shall be dissolved on the appointed day.

Given under the official seal of the National Insurance Joint Authority this 23rd day of June, nineteen hundred and forty-eight.

(L.S.)

C. D. Curtis,
Secretary, National Insurance Joint Committee.

R. J. Taylor,
Joseph Henderson,
Two of the Lords Commissioners of His Majesty's Treasury.

9 & 10 Geo. 5. c. 21.
9 & 10 Geo. 5. c. 20.

Regulation 5.

SCHEDULE

PROVISIONS OF REGULATIONS UNDER THE INSURANCE ACT MODIFIED

Provisions modified	*Subject matter*	*Modification*
National Health Insurance (Approved Societies) Regulations, 1939 (S.R. & O. 1939 (No. 1847) II, p. 2155)		
Regulation 44, as amended (a).	Sums treated as expended as benefits.	Regulation 44 shall apply in respect of the period from the 1st January, 1948, to any improper payment of benefit so far as not otherwise recovered.
Regulation 45 ...	Sums not treated as expended as benefits.	Regulation 45 shall not apply to any administration account in respect of the period from the 1st January, 1948.

(a) Reg. 3 (2), S.R. & O. 1945 (No. 213) I, p. 819.

Provisions modified	*Subject matter*	*Modification*
Regulation 47, as amended (a).	Maximum amount for Administration Account.	For regulation 47 there shall be substituted in respect of the period from the 1st January, 1948, the following regulation :— "47. The amount which may be carried out of the contributions under the Act by a society without branches or by a branch of a society to the Administration Account shall be such a sum as (together with the appropriate amount which in pursuance of subsection (1) of section 12 of the Act may be defrayed out of moneys provided by Parliament) equals the expenditure properly incurred by the society or branch on administration and any expenditure sanctioned by the Minister".
Regulation 48, as amended (b).	Purchase or erection of offices.	Regulations 48, 50, 52 and 53 shall not apply in respect of the period from the 1st January, 1948.
Regulation 50	... Surplus in Administration Account.	
Regulation 52	... Methods of dealing with deficiency.	
Regulation 53	... Deficiency in head office or district account.	
Regulation 54	... Contributions by head office to Administration Account of branch.	Notwithstanding the provisions of any rules made under regulation 54, a society with branches shall not, in respect of the period from the 1st January, 1948, make any contribution towards the administration expenses of any branch out of the Administration Account of the head office of the society or district of the society to which the branch belongs.

EXPLANATORY NOTE

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

These Regulations provide for the dissolution of approved societies on the appointed day (5th July, 1948) and for their winding up thereafter by the Minister of National Insurance. They also provide for making up and auditing the books and accounts of approved societies and insurance committees after the appointed day, and for the dissolution on the appointed day of the consultative councils established under the Ministry of Health Act, 1919, or the Scottish Board of Health Act, 1919.

(a) Regs. 16 & 17, S.R. & O. 1943 (No. 294) I, p. 662.
(b) Reg. 18, S.R. & O. 1943 (No. 294) I, p. 662.

4. BENEFITS

(1) *General.*
(2) *Maternity and Sickness*, p. 2635.
(3) *Overlapping Benefits*, p. 2652.
(4) *Unemployment*, p. 2667.
(5) *Widow's Benefit and Retirement Pensions*, p. 2704.

The National Insurance (General Benefit) Regulations, 1948

1948 No. 1278

Made - - - - 15*th June*, 1948
Laid before Parliament 16*th June*, 1948
Coming into Operation 23*rd June*, 1948

(1) GENERAL

M.N.I. 114.

The National Insurance Joint Authority, in conjunction with the Treasury so far as relates to matters with regard to which the Treasury have so directed, in exercise of the powers conferred by sections 10 (4), 29, 31 (1), 34, 78 (1) and 78 (5) of the National Insurance Act, 1946, and the Minister of National Insurance in conjunction with the Treasury in exercise of the powers conferred by section 47 of that Act, and of all other powers enabling them in that behalf, hereby make the following regulations:—

9 & 10 Geo. 6. c. 67.

Citation, commencement and interpretation.

1.—(1) These regulations may be cited as the National Insurance (General Benefit) Regulations, 1948, and shall come into operation on the 23rd June, 1948.

(2) In these regulations, unless the context otherwise requires—

"the Act" means the National Insurance Act, 1946;

"the Industrial Injuries Act" means the National Insurance (Industrial Injuries) Act, 1946;

9 & 10 Geo. 6. c. 62.

"the Minister" means the Minister of National Insurance;

"the Determination of Claims and Questions Regulations" means the National Insurance (Determination of Claims and Questions) Regulations, 1948(**a**);

"the determining authority" means, as the case may require, an insurance officer, a local tribunal or the National Insurance Commissioner appointed or constituted in accordance with the Determination of Claims and Questions Regulations;

and other expressions have the same meanings as in the Act.

(3) References in these regulations to any enactment or regulations shall include references to such enactment or regulations as amended by any subsequent enactment, order or regulations.

52 & 53 Vict. c. 63.

(4) The Interpretation Act, 1889, applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

Definitions of "contribution year" and "benefit year".

2.—(1) (*a*) A contribution year in relation to any person shall be the period of fifty-two or fifty-three contribution weeks beginning in any year with the relevant contribution week(**b**) and ending with the contribution week next preceding the relevant contribution week in the following year.

(*b*) In this paragraph the expression "relevant contribution week" means in relation to any person the first complete contribution week in the month of March, June, September or December as may be determined by the Minister to be applicable in his case.

(**a**) S.I. 1948 No. 1144, p. 2720 below.
(**b**) *See* s. 78 (1), National Insurance Act, 1946.