NATIONAL INSURANCE

CLAIMS AND PAYMENTS

The National Insurance (Claims and Payments) Amendment Regulations, 1950

1950 No. 297

Made - - - -	*7th March*, 1950
Laid before Parliament	*7th March*, 1950
Coming into Operation	13*th March*, 1950

M.N.I. 188.

The Minister of National Insurance, in exercise of the powers conferred by section 28 of the National Insurance Act, 1946(a), and of all other powers enabling him in that behalf, hereby makes the following regulations:—

Citation, interpretation and commencement

1. These regulations, which may be cited as the National Insurance (Claims and Payments) Amendment Regulations, 1950, shall be read as one with the National Insurance (Claims and Payments) Regulations, 1948(b) (hereinafter referred to as "the principal regulations") as amended(c), and shall come into operation on the 13th March, 1950.

Amendment of the principal regulations

2.—(1) Paragraph (2) of regulation 11 of the principal regulations as amended shall be amended in accordance with the next following paragraph, and the said regulation 11 shall have effect as set out in the Schedule to these regulations.

(2) In the said paragraph (2),—

(*a*) after the words "unemployment benefit" in sub-paragraph (*a*), and after the words "sickness benefit" in sub-paragraph (*b*), there shall be inserted the following words:—

"(not being an increase of benefit in respect of a child or adult dependant)";

(*b*) after sub-paragraph (*g*), there shall be added the following sub-paragraph:—

"(*h*) in the case of an increase, in respect of a child or adult dependant, of unemployment benefit or sickness benefit, the period of one month from the date on which, apart from satisfying the condition of making a claim, the claimant becomes entitled thereto, subject to the qualification that if, in the case of the benefit of which that increase is claimed, the prescribed time is extended in accordance with the proviso to this paragraph, the period of one month shall (subject to the condition contained in the next succeeding paragraph) be increased by a period equal to the period commencing on the said date and ending on the date on which the claim for the said benefit was made:"

Dated this 7th day of March, 1950.

Edith Summerskill,
Minister of National Insurance.

(a) 9 & 10 Geo. 6. c. 67.
(b) S.I. 1948 (No. 1041) I, p. 2709.
(c) *See* reg. 12 and Second Schedule, National Insurance (Death Grant) Regulations, 1949 (S.I. 1949 (No. 1204) I, p. 2708), and S.I. 1949 (Nos. 1392, 1696 and 2317) I, pp. 2702, 2717, 2703.

SCHEDULE

REGULATION 11 OF THE PRINCIPAL REGULATIONS, AS AMENDED

Disqualification where benefit not claimed within the prescribed time

11.—(1) Subject to the provisions of subsection (3) of section 28 of the Act (which subsection relates to retirement pension for a widow in receipt of widow's benefit), if a person fails to make a claim for any benefit within the prescribed time in accordance with paragraphs (2) and (3) of this regulation, he shall be disqualified for receiving—

(*a*) in the case of unemployment benefit or maternity grant or death grant, any benefit; or

(*b*) in the case of sickness benefit,—

(i) where a notice of incapacity has been given in accordance with the provisions of regulation 15, payment in respect of any period more than ten days, or

(ii) where no such notice has been given, payment in respect of any period more than three days,

before the date on which the claim is made; or

(*c*) in the case of attendance allowance, payment in respect of any period more than twenty-eight days before the date on which the claim is made; or

(*d*) in the case of maternity allowance, payment in respect of any period before the date on which the claim is made; or

(*e*) in the case of a pension, payment in respect of any period more than three months before the date on which the claim is made:

Provided that, subject to the condition contained in paragraph (3) of this regulation, if in any case the claimant proves—

(i) that on a date earlier than the date on which the claim was made, apart from satisfying the condition of making a claim, he was entitled to the benefit; and

(ii) that throughout the period between the earlier date and the date on which the claim was made there was good cause for delay in making such claim;

he shall not be disqualified under this paragraph for receiving any benefit to which he would have been entitled if the claim had been made on the said earlier date.

(2) The prescribed time for the purposes of the foregoing paragraph shall (subject to the special provisions relating to the time for claiming benefit contained in Part IV of these regulations) be,—

(*a*) in the case of unemployment benefit (not being an increase of benefit in respect of a child or adult dependant), the day in respect of which the claim is made; or

(*b*) in the case of sickness benefit (not being an increase of benefit in respect of a child or adult dependant),—

(i) where notice of incapacity has been given in accordance with the provisions of regulation 15, the period of ten days, or

(ii) where no such notice has been given, the period of three days,

from the day in respect of which the claim is made; or

(*c*) in the case of maternity grant, the period of three months from the date of the confinement; or

(n the case of attendance allowance, the period of twenty-eight days from e date of the confinement; or

(n the case of maternity allowance, the period up to the date on which, art from satisfying the condition of making a claim, the claimant becomes entitled thereto; or