ADMINISTRATION

1957 No. 578

The National Insurance (Claims and Payments) Amendment Regulations, 1957

Made - - - -	*2nd April*, 1957
Laid before Parliament	*9th April*, 1957
Coming into Operation	*10th April*, 1957

The Minister of Pensions and National Insurance, 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 28 and 46 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, 1957, shall be read as one with the National Insurance (Claims and Payments) Regulations, 1948(b), as amended(c), (hereinafter referred to as " the principal regulations ") and shall come into operation on the 10th April, 1957.

Amendment of paragraph 5 of Part I and paragraph 2 of Part II of the Second Schedule to the principal regulations

2.—(1) For columns (1) and (2) of paragraph 5 of Part I of the Second Schedule to the principal regulations (which paragraph relates to disqualification for death grant where benefit is not claimed within the prescribed time) there shall be substituted the following columns : —

(1)	(2)
" 5. Death grant	The period of six months (or such longer period as the Minister may determine in the circumstances of any particular case) from the date of the death of the deceased."

(2) In paragraph 2 of Part II of the Second Schedule to the principal regulations (which paragraph imposes a general limitation of right to benefit) there shall be omitted the words " (but subject to the provisions of sub-paragraph (*b*) of paragraph 5 of Part I hereof) " and for sub-paragraph (*b*) thereof there shall be substituted the following sub-paragraph :—

" (*b*) death grant in any case where the prescribed time for making a claim falls to be extended under paragraph 1 of this Part by more than six months."

Amendment of regulation 12 of the principal regulations

3. Regulation 12 of the principal regulations (which relates to the extinguishment of right to sums payable by way of benefit which are not obtained within the prescribed time) shall not apply to death grant and,

(a) 9 & 10 Geo. 6. c. 67. (b) S.I. 1948/1041 (Rev. XVI, p. 313: 1948 I, p. 2709).
(c) The relevant amending regulation is S.I. 1952/1207 (1952 II, p. 2122).

accordingly, in paragraph (1) of the said regulation 12, after the words "The right to any sum payable by way of benefit" there shall be inserted the words ", other than a sum payable by way of death grant,".

Transitional Provisions

4. Notwithstanding the foregoing provisions of these regulations, columns (1) and (2) of paragraph 5 of Part I and paragraph 2 of Part II of the Second Schedule to the principal regulations shall, in the case of a death occurring before the coming into operation of these regulations, continue to apply for the purpose of determining the period within which death grant must be claimed, as if these regulations had not been made.

Revocation

5. Regulation 8 of the National Insurance (Death Grant) Regulations, 1949(a), as amended(b), (which provides that in certain cases of suspension of death grant, periods of suspension shall not be taken into account in calculating any period under the provisions of regulation 12 of the principal regulations) is hereby revoked, but without prejudice to anything duly done or suffered, or to any right, privilege, obligation or liability acquired, accrued or incurred, thereunder.

Dated this 1st day of April, 1957.

John Boyd-Carpenter.
Minister of Pensions and National Insurance.

Dated this 2nd day of April, 1957.

Edward Wakefield,
Harwood Harrison,
Two of the Lords Commissioners of Her Majesty's Treasury.

EXPLANATORY NOTE

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

These Regulations amend the National Insurance (Claims and Payments) Regulations, 1948, by providing that the time limit for claiming death grant should be six months (or such longer period as the Minister may determine in the circumstances of any particular case) from the date of the death of the deceased. Provision is also made to abolish the time limit for obtaining payment of death grant.

The preliminary draft of these Regulations was submitted to the National Insurance Advisory Committee in accordance with section 77 of the National Insurance Act, 1946, and their report thereon, dated the 20th March, 1957, is contained in House of Commons Paper No. 136 (Session 1956-57) published by Her Majesty's Stationery Office.

(a) S.I. 1949/1204 (1949 I, p. 2708).
(b) No amendment affecting the subject-matter of these regulations has been made.