STATUTORY INSTRUMENTS

1964 No. 1110

NATIONAL INSURANCE

The National Insurance (Claims and Payments) Amendment Regulations 1964

Made - - - -	*20th July* 1964
Laid before Parliament	*27th July* 1964
Coming into Operation	*7th September* 1964

The Minister of Pensions and National Insurance, in exercise of powers conferred by section 28(2) of the National Insurance Act 1946(a), and of all other powers enabling him in that behalf, after considering the report of the National Insurance Advisory Committee on the preliminary draft submitted to them, 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 1964, 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 7th September 1964.

Amendment of Schedule 2 to the principal regulations

2.—(1) For paragraph 2 of Part I of Schedule 2 to the principal regulations (prescribed times for claiming sickness benefit and disqualifications arising by reason of late claims) there shall be substituted the paragraph set out in Part I of the Schedule to these regulations.

(2) Paragraph 4 of Part II of Schedule 2 to the principal regulations (notice of incapacity) is hereby revoked.

(3) For paragraph 5(1) of Part II of Schedule 2 to the principal regulations there shall be substituted the sub-paragraph set out in Part II of the Schedule to these regulations.

Richard Wood,
Minister of Pensions and National Insurance.

20th July 1964.

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

SCHEDULE

PART I

Regulation 2(1)

PARAGRAPH SUBSTITUTED FOR PARAGRAPH 2 OF PART I OF SCHEDULE 2 TO THE PRINCIPAL REGULATIONS

2. Sickness benefit (not being an increase of benefit in respect of a child or adult dependant)—		
(*a*) where the claim is an original claim, that is to say, where before making the claim the claimant has at no time made a claim for sickness benefit under the Act (or a claim for any other benefit, whether under the Act or the Industrial Injuries Act, which has been treated as a claim for sickness benefit);	(*a*) The period of twenty-one days from the earliest day in respect of which the claim is made.	(*a*) Benefit in respect of any day more than twenty-one days before the date on which the claim is made.
(*b*) where the claim is not an original claim but is the first claim made by the claimant after he has become or again become incapable of work;	(*b*) The period of six days from the earliest day in respect of which the claim is made.	(*b*) Benefit in respect of any day more than six days before the date on which the claim is made.
(*c*) where the claim is a continuation claim, that is to say, a claim to which neither sub-paragraph (*a*) nor sub-paragraph (*b*) of this paragraph applies.	(*c*) The period of ten days from the earliest day in respect of which the claim is made.	(*c*) Benefit in respect of any day more than ten days before the date on which the claim is made.

PART II

Regulation 2(3)

PARAGRAPH SUBSTITUTED FOR PARAGRAPH 5(1) OF PART II OF SCHEDULE 2 TO THE PRINCIPAL REGULATIONS

Hospital in-patients

5.—(1) In determining whether the provisions of sub-paragraph (1) or sub-paragraph (2)(*b*) of paragraph 1 of this Part have been satisfied by a person who is, or has been, an in-patient in a hospital, and who makes a claim for sickness benefit, any such provision shall, in relation only to that claim, be deemed to have been satisfied by him in respect of that one of the following periods which is appropriate, in so far as it is relevant for the purpose of any such provision:—

(*a*) where the person concerned has been discharged from the hospital, the period commencing on the date of his admission thereto as an in-patient and ending thirteen weeks thereafter or three weeks after the date of his discharge, whichever period is the shorter; or

(*b*) where the person concerned has not been so discharged, the period of thirteen weeks from the date of his admission to the hospital as an in-patient.

EXPLANATORY NOTE

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

These Regulations further amend Schedule 2 to the National Insurance (Claims and Payments) Regulations 1948. They revoke the provisions dealing with the giving of notice of incapacity for work and extend the time for claiming sickness benefit, in the case of persons who have at some time claimed before but are making their first claim in respect of a fresh period of incapacity, from three to six days. In other cases, the times for claiming remain twenty-one days and ten days.

The report of the National Insurance Advisory Committee on the preliminary draft of these Regulations, dated 16th July 1964, is contained in the House of Commons Paper No. 281 (Session 1963-64) published by Her Majesty's Stationery Office.