1970. No. 38 [C]

NATIONAL INSURANCE

Classification

REGULATIONS, DATED 3RD MARCH 1970, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES, IN CONJUNCTION WITH THE MINISTRY OF FINANCE, UNDER THE NATIONAL INSURANCE ACT (NORTHERN IRELAND) 1966.

The Ministry of Health and Social Services, in conjunction with the Ministry of Finance so far as relates to matters with regard to which the Ministry of Finance has so directed, in exercise of powers conferred by sections 1(3) and 15(1) of the National Insurance Act (Northern Ireland) 1966(a), and of all other powers enabling it in that behalf, hereby makes the following regulations:

Citation and commencement

1. These regulations, which may be cited as the National Insurance (Classification) Amendment Regulations (Northern Ireland) 1970, shall be read as one with the National Insurance (Classification) Regulations (Northern Ireland) 1948(b) (hereinafter referred to as "the principal regulations") and shall come into operation on 9th March 1970.

Amendments of Schedule 1 to the principal regulations

2.—(1) In Part I of Schedule 1(c) to the principal regulations (which Part sets out in column (A) employments in respect of which persons are treated as employed persons, and in column (B) the persons excepted from the operation of column (A)) immediately after paragraph 4B there shall be added—

(*a*) in column (A) the following paragraph:

"4C. Employment (notwithstanding that it is not employment under a contract of service) as a clerk, secretary, typist or book-keeper or in any similar capacity, or as a telephonist or office machine operator where the person employed is supplied by or through the agency of some third person and where the remuneration of the person employed is paid by or through or on the basis of accounts submitted by that third person."; and

(*b*) in column (B) the following paragraph:

"4C. Any person in employment specified in paragraph 4C of column (A) where the services of the person employed are rendered in his own home or on other premises not under the control or management of the person for whom the services are rendered (except where such other premises are premises at which the person employed is required, by reason of the nature of the services, to render the services).".

(2) In Part II (which Part sets out in column (A) employments in respect of which persons are treated as self-employed persons and in column (B) the persons excepted from the operation of column (A)) in paragraph 8 of column (B) for the words "Postmaster General" there shall be substituted the words "Post Office".

(a) 1966. c. 6 (N.I.).
(b) S.R. & O. (N.I.) 1948, No. 222.
(c) See Sch. to S.R. & O. (N.I.) 1957, No. 270.

(3) In Part III (which Part sets out in column (A) employments in respect of which persons are treated as non-employed persons and their employment therein disregarded and in column (B) the persons excepted from the operation of column (A)), paragraphs 39 and 42 of columns (A) and (B) (which paragraphs relate respectively to certain part-time employment as a telephone exchange attendant and to employment as an auxiliary sorter) are hereby revoked, and for paragraph 45 of column (A) (employment conveying mails on station or pier service) there shall be substituted the following paragraph:

"45. Employment as an occasional messenger on Post Office business.".

Amendment of Schedule 3 to the principal regulations

3. In Schedule 3 to the principal regulations (which sets out in column (B) the persons who are to be treated for the purposes of the National Insurance Act (Northern Ireland) 1966 as employers of persons employed in employments specified in column (A) thereof) immediately after paragraph 5 there shall be added—

(*a*) in column (A) the following paragraph:

"6. Employment, whether under a contract of service or not, as a clerk, secretary, typist or book-keeper or in any similar capacity, or as a telephonist or office machine operator where the person employed is supplied by or through the agency of some third person and where the remuneration of the person employed is paid by or through or on the basis of accounts submitted by that third person not being employment specified in paragraph 4C of column (B) of Part I of Schedule 1."; and

(*b*) in column (B) the following paragraph:

"6. The third person by whom or through whose agency the person employed is supplied.".

Sealed with the Official Seal of the Ministry of Health and Social Services for Northern Ireland this 3rd day of March 1970.

(L.S.) *D. W. Lowry,*
Assistant Secretary.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 3rd day of March 1970.

(L.S.) *C. F. Darling,*
Assistant Secretary.

EXPLANATORY NOTE

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

These regulations amend the National Insurance (Classification) Regulations (Northern Ireland) 1948 by including the employment of certain office workers among employments in respect of which they are treated as employed persons even though they may not be employed under a contract of service. The regulations apply to persons employed as a clerk, secretary, typist or book-keeper etc. where they are supplied by or through an agent and where the remuneration is paid by or through, or on the basis of accounts submitted by the agent, but they do not apply to work done by such persons in their own homes. The regulations also amend the principal regulations by prescribing the agent as the employer. A minor amendment is made in consequence of the Post Office Act 1969.

1970. No. 39

This Order has been exempted from printing by the Statutory Rules Act (Northern Ireland) 1958. A summary is given in the List of Statutory Rules and Orders of a Local Character under the heading ROADS.