SCHEDULE Regulation 2

PARAGRAPH 21 OF COLUMN (A) AND PARAGRAPH 21 OF COLUMN (B) IN PART III OF THE FIRST SCHEDULE TO THE PRINCIPAL REGULATIONS, AS AMENDED*

Employments in respect of which, subject to the exceptions in column (B), persons are treated as non-employed persons and their employment therein disregarded.	Persons excepted from the operation of column (A).
(A)	(B)
21. Employment of a married woman (whether or not under contract of service) by, or as partner of, or in any similar association with, her husband.	21. *Any person employed as specified in paragraph 21 of column (A) where that employment is in a trade or business and she is ordinarily engaged therein for not less than 24 hours in a contribution week.*

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, 1948, by providing that a married woman employed by, or as a partner of, or in any similar association with her husband, shall not be treated as a non-employed person if the employment ordinarily occupies not less than twenty-four hours per week, and is in a trade or business, and shall, if she is so employed by her husband under a contract of service, be treated as a self-employed person.

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 23rd July, 1952, is contained in the House of Commons Paper No. 295 (Session 1951-1952) published by Her Majesty's Stationery Office.

1952 No. 1393

The National Insurance (Contributions) Amendment Regulations, 1952

Made - - - -	*23rd July*, 1952
Laid before Parliament	*25th July*, 1952
Coming into Operation	*29th July*, 1952

The Minister of National Insurance, in conjunction with the Treasury, in exercise of the powers conferred by section 5 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 (Contributions) Amendment Regulations, 1952, shall be read as one with

* The amendment made by these regulations is shown in italics.

(a) 9 & 10 Geo. 6. c. 67.

the National Insurance (Contributions) Regulations, 1948(a), as amended(b) (hereinafter referred to as "the principal regulations") and shall come into operation on the 29th July, 1952.

Amendment of regulation 4 of the principal regulations

2.—(1) Regulation 4 of the principal regulations shall be amended in accordance with the next following paragraph and accordingly shall have effect as set out in the Schedule hereto.

(2) At the end of sub-paragraph (*a*) of paragraph (3) of the said regulation 4, there shall be added the following words:—

"Provided that any day which is treated under any such regulations as not being a day of unemployment by reason only of its being a day on which a person is on holiday shall be a day of unemployment for the purposes of this regulation if it is a day of recognised or customary holiday in connection with that person's employment in a week which contains not more than three days of such holiday, and is a day in a period during which that employment is suspended."

Revocation of provisional regulations

3. The National Insurance (Contributions) Amendment Provisional Regulations, 1952(c), are 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 21st day of July, 1952.

Osbert Peake,
Minister of National Insurance.

Dated this 23rd day of July, 1952.

Herbert Butcher,
Hendrie D. Oakshott,
Two of the Lords Commissioners of Her Majesty's Treasury.

SCHEDULE Regulation 2

REGULATION 4 OF THE PRINCIPAL REGULATIONS, AS AMENDED*

Provisions determining days of unemployment or incapacity for work.

4.—(1) For the purposes of regulation 2 (which relates to unemployment), a day shall not be a day of unemployment unless on that day the person concerned is capable of work, and is, or is deemed in accordance with any regulations(d) made under sub-paragraph (i) of paragraph (*a*) of subsection (2) of section 11 of the Act (which sub-paragraph relates to days which may be treated as days of unemployment) to be, available for employment in an employed contributor's employment.

(2) For the purposes of regulation 3 (which relates to incapacity for work), the following provisions shall apply:—

(*a*) A day shall not be a day of incapacity for work unless on that day the person concerned is, or is deemed in accordance with any regulations(e) made under sub-paragraph (ii) of the said paragraph (*a*) (which

(a) S.I. 1948/1417; Rev. XVI, p. 164; 1948 I, p. 2767.
(b) S.I. 1949/1171; 1950/330, 1947: 1949 I, p. 2707; 1950 II, pp. 15, 20.
(c) S.I. 1952/1006.
(d) *See* reg. 7, National Insurance (Unemployment and Sickness Benefit) Regulations, 1948 (S.I. 1948/1277; Rev. XVI, p. 212; 1948 I, p. 2676).
(e) *See* reg. 3, National Insurance (Unemployment and Sickness Benefit) Regulations, 1948 (S.I. 1948/1277; Rev. XVI, p. 212; 1948 I, p. 2676).

* The amendment made by these Regulations is shown in italics.

sub-paragraph relates to days which may be treated as days of incapacity for work) to be, incapable of work by reason of some specific disease or bodily or mental disablement.

(*b*) Any period in respect of which a person is, under subsection (1) of section 32 of the Industrial Injuries Act, disqualified for receiving industrial injury benefit, or in respect of which a forfeiture of such benefit is operative by reason of regulations made under subsection (2) of the said section (other than a forfeiture for failure to make a claim for benefit within the prescribed time), shall not be a period of incapacity for work.

(3) For the purposes of regulation 2 and regulation 3, the following provisions shall apply:—

(*a*) A day which is, in accordance with any regulations(a) made under subsection (3) of the said section 11 (which subsection relates to days which are or are not to be treated for the purposes of unemployment benefit and sickness benefit as days of unemployment or incapacity for work) treated for the purposes of unemployment benefit and sickness benefit as a day of unemployment or incapacity for work shall be a day of unemployment or incapacity for work, as the case may require, for the purposes of this regulation, but any day which under any such regulations is treated as not being such a day shall not be a day of unemployment or incapacity for work for those purposes:

Provided that any day which is treated under any such regulations as not being a day of unemployment by reason only of its being a day on which a person is on holiday shall be a day of unemployment for the purposes of this regulation if it is a day of recognised or customary holiday in connection with that person's employment in a week which contains not more than three days of such holiday, and is a day in a period during which that employment is suspended.

(*b*) Any period in respect of which a person is disqualified for receiving either unemployment benefit or sickness benefit by reason of the provisions of section 13 of the Act (which section relates to disqualification for unemployment benefit and sickness benefit) or any regulations(b) made thereunder, shall not be a period of unemployment or incapacity for work, as the case may be.

(*c*) Any period in respect of which a person is disqualified for receiving unemployment benefit or sickness benefit by reason of the provisions of paragraph (*a*) of subsection (1) of section 29 of the Act (which paragraph relates to disqualification for benefit by reason of being absent from Great Britain) shall not be a period of unemployment or incapacity for work, as the case may be.

(4) For the purposes of regulation 2 and regulation 3, where in any week a person is for part of that week unemployed and for the remainder of that week incapable of work, he shall be treated as if unemployed for the whole of that week, if Condition I or Condition II of the Schedule to these regulations has been satisfied, and, if neither of those Conditions has been satisfied but Condition III or Condition IV of that Schedule has been satisfied, he shall be treated as if incapable of work for the whole of that week, and the said regulations shall be construed accordingly.

(a) Reg. 6, National Insurance (Unemployment and Sickness Benefit) Regulations, 1948 (S.I. 1948/1277; Rev. XVI, p. 212; 1948 I, p. 2676).

(b) Reg. 10, National Insurance (Unemployment and Sickness Benefit) Regulations, 1948 (S.I. 1948/1277; Rev. XVI, p. 212; 1948 I, p. 2676).

EXPLANATORY NOTE

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

These Regulations revoke and replace the National Insurance (Contributions) Amendment Provisional Regulations, 1952. They amend the National Insurance (Contributions) Regulations, 1948, so as to provide that certain days of recognised or customary holiday shall be days of unemployment for the purpose of the provisions relating to exception from liability to pay, and the crediting of, contributions under the National Insurance Act, 1946.

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 24th June, 1952, is contained in House of Commons Paper No. 255 (Session 1951-52) published by Her Majesty's Stationery Office.

1952 No. 2185

The National Insurance (Contributions) Amendment (No. 2) Regulations, 1952

Made - - - -	*16th December,* 1952
Laid before Parliament	*17th December,* 1952
Coming into Operation	*19th January,* 1953

The Minister of National Insurance, in conjunction with the Treasury, in exercise of the powers conferred by section 5 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 (Contributions) Amendment (No. 2) Regulations, 1952, shall be read as one with the National Insurance (Contributions) Regulations, 1948(b), as amended(c) (hereinafter referred to as "the principal regulations") and shall come into operation on the 19th January, 1953.

Addition to principal regulations

2. After regulation 7 of the principal regulations there shall be added the following regulation—

"*Special provisions relating to the crediting of contributions in certain cases during full time education or full time unpaid apprenticeship*

7A.—(1) For the purposes of unemployment and sickness benefit only, a person who—

(*a*) has made a claim for unemployment or sickness benefit after the termination of full time education or full time unpaid apprenticeship (not being a gainful occupation); and

(*b*) has paid twenty-six contributions of the appropriate class, excluding contributions paid in respect of him for any period of national service, since his entry into insurance under the Act;

(a) 9 & 10 Geo. 6. c. 67. (b) S.I. 1948/1417; Rev. XVI, p. 164; 1948 I, p. 2767.
(c) S.I. 1949/1171; 1950/330, 1947; 1952/1393: 1949 I, p. 2707; 1950 II, pp. 15, 20; 1952 II, p. 2140.