INSURED PERSONS AND CONTRIBUTIONS

1956 No. 2020

The National Insurance (Contributions) Amendment Regulations, 1956

Made - - - -	18*th December*, 1956
Laid before Parliament	21*st December*, 1956
Coming into Operation	22*nd December*, 1956

The Minister of Pensions and National Insurance, in conjunction with the Treasury, in exercise of powers conferred by section 8 (1) (*b*) 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, 1956, 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 22nd December, 1956.

Amendment of regulation 5 (1) *of the principal regulations*

2.—(1) Paragraph (1) of regulation 5 of the principal regulations (which relates to persons undergoing imprisonment or detention in legal custody) shall be amended in accordance with the provisions of paragraph (2) of this regulation and accordingly shall have effect as set out in Part I of the Schedule hereto.

(2) For sub-paragraphs (*b*) (i) and (*b*) (ii) of paragraph (1) of regulation 5 of the principal regulations, there shall be substituted the following words—

"at any time before the end of the sixth contribution year following the contribution year in which the period of imprisonment or detention in legal custody terminated".

Amendment of regulation 7 (2) *of the principal regulations*

3.—(1) Paragraph (2) of regulation 7 of the principal regulations (which relates to periods of full time education, unpaid apprenticeship or training) shall be amended in accordance with the following provisions of this regulation and accordingly shall have effect as set out in Part II of the Schedule hereto.

(2) In sub-paragraph (*b*) of paragraph (2) of the said regulation 7, for the words "before the end of the fourth contribution year following the contribution year in which the education, apprenticeship or training terminated" there shall be substituted the words "before the end of the sixth contribution year following the contribution year in which the education, apprenticeship or training terminated."

Amendment of regulation 24 (1) *of the principal regulations*

4.—(1) Paragraph (1) of regulation 24 of the principal regulations (which relates to the treatment for the purpose of widow's benefit or retirement pension of late paid contributions) shall be amended in accordance with the provisions of paragraph (2) of this regulation and accordingly shall have effect as set out in Part III of the Schedule hereto.

(**a**) 9 & 10 Geo. 6. c. 67. (**b**) S.I. 1948/1417 (Rev. XVI, p. 164: 1948 I, p. 2767).
(**c**) S.I. 1950/330, 1947, 1952/1393, 1953/495, 1544 (1950 II, pp. 15, 20; 1952 II, p. 2140; 1953 I, pp. 1371, 1372); reg. 20 and First Schedule to National Insurance (Maternity Benefit and Miscellaneous Provisions) Regulations, 1954 (S.I. 1954/189 (1954 I, p. 1387)); S.I. 1955/1602 (1955 I, p. 1629).

(2) For sub-paragraphs (*a*) and (*b*) of paragraph (1) of the said regulation 24 there shall be substituted the following sub-paragraphs:—

"(*a*) if paid before the end of the sixth contribution year following the contribution year which includes the contribution week in respect of which it is payable—as paid on the due date;

(*b*) if paid at any other time—as not paid."

Amendment of regulation 26 (2) *of the principal regulations*

5.—(1) Paragraph (2) of regulation 26 of the principal regulations (which relates to the treatment for the purpose of death grant of late paid contributions) shall be amended in accordance with paragraph (2) of this regulation and accordingly shall have effect as set out in Part IV of the Schedule hereto.

(2) For sub-paragraph (*a*) of paragraph (2) of the said regulation 26 there shall be substituted the following sub-paragraph:—

"(*a*) a contribution under the Act paid after the due date and before the relevant time shall be treated—

(i) if paid before the end of the sixth contribution year following the contribution year which includes the contribution week in respect of which it is payable—as paid on the due date;

(ii) if paid at any other time—as not paid."

Amendment of regulation 27 (2) *of the principal regulations*

6.—(1) Paragraph (2) of regulation 27 of the principal regulations (which relates to the treatment for the purpose of any benefit of contributions which persons are entitled but not liable to pay) shall be amended in accordance with the provisions of paragraph (2) of this regulation and accordingly shall have effect as set out in Part V of the Schedule hereto.

(2) In paragraph (2) of the said regulation 27, for the words "or of regulation 6 of the National Insurance (Residence and Persons Abroad) Regulations, 1948(e), as amended(f), (which regulation contains special provisions for payment of contributions in respect of periods abroad by persons returning to Great Britain)" there shall be substituted the words "or of regulation 5 of the National Insurance (Residence and Persons Abroad) Regulations, 1948(e), as amended(f), (which regulation contains special provisions for payment of contributions in respect of periods abroad)."

Transitional provisions

7.—(1) Notwithstanding the foregoing provisions of these regulations, the provisions of the principal regulations shall, for the purpose of any right to retirement pension, widow's benefit or death grant continue to apply to any case in which the relevant time occurred before the coming into operation of these regulations.

(2) In this regulation the expression "relevant time" has the same meaning as in paragraph 4 or paragraph 5 of the Third Schedule to the Act, as the case may require.

Dated this 14th day of December, 1956.

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

Dated this 18th day of December, 1956.

Martin Redmayne,
Gerald Wills,
Two of the Lords Commissioners of
Her Majesty's Treasury.

SCHEDULE

PART I — Regulation 2

CONTAINING REGULATION 5 (1) OF THE PRINCIPAL REGULATIONS AS AMENDED BY THESE REGULATIONS*

Imprisonment or detention in legal custody

5.—(1) (*a*) An insured person shall be excepted from liability to pay a contribution under the Act for any week during the whole of which he is undergoing imprisonment or detention in legal custody, but contributions under these regulations shall not be credited in respect of any such week except in respect of any week for which on release sickness benefit or industrial injury benefit is payable in accordance with regulations made under the Act or the Industrial Injuries Act, as the case may be, and then only in accordance with and subject to the provisions of regulations 3 and 4.

(*b*) If any person to whom sub-paragraph (*a*) of this paragraph is applicable so desires, he may for any such week pay a contribution as a non-employed person, and if immediately before the commencement of any such imprisonment or detention in legal custody he was a self-employed person, he may instead for any such week pay a contribution as a self-employed person (in either case not being a week for which a contribution is credited under the provisions of the said sub-paragraph (*a*)) and any such payment may be made *at any time before the end of the sixth contribution year following the contribution year in which the period of imprisonment or detention in legal custody terminated.*

PART II — Regulation 3

CONTAINING REGULATION 7 (2) OF THE PRINCIPAL REGULATIONS AS AMENDED BY THESE REGULATIONS*

(2) For any week of education, apprenticeship or training, a person—

(*a*) shall be excepted from liability to pay a contribution as a non-employed person, and

(*b*) may, if he so desires and is not entitled to be credited with a contribution for that week under paragraph (4) of this regulation, pay a contribution as a non-employed person, and payment thereof may be made at any time *before the end of the sixth contribution year following the contribution year in which the education, apprenticeship or training terminated.*

PART III — Regulation 4

CONTAINING REGULATION 24 (1) OF THE PRINCIPAL REGULATIONS AS AMENDED BY THESE REGULATIONS*

Treatment for the purpose of widow's benefit or retirement pension of late paid contributions

24.—(1) For the purpose of any right to widow's benefit or to a retirement pension, a contribution under the Act paid after the due date and before the relevant time shall be treated—

(*a*) *if paid before the end of the sixth contribution year following the contribution year which includes the contribution week in respect of which it is payable—as paid on the due date;*

(*b*) *if paid at any other time—as not paid.*

* The words added or substituted by these regulations are shown in italics.

PART IV Regulation 5

CONTAINING REGULATION 26 (2) OF THE PRINCIPAL REGULATIONS AS AMENDED BY THESE REGULATIONS*

(2) For the purpose aforesaid and notwithstanding the provisions of the last foregoing paragraph, in determining whether the relevant contribution conditions are satisfied in whole or in part as respects the yearly average of contributions paid or credited to any person—

(*a*) a contribution under the Act paid after the due date and before the relevant time shall be treated—

(i) *if paid before the end of the sixth contribution year following the contribution year which includes the contribution week in respect of which it is payable—as paid on the due date;*

(ii) *if paid at any other time—as not paid;*

(*b*) a contribution under the Act paid after the due date and after the relevant time, being a contribution payable in respect of any week in the contribution year immediately preceding the contribution year which includes the relevant time, shall be treated as paid on the due date.

PART V Regulation 6

CONTAINING REGULATION 27 (2) OF THE PRINCIPAL REGULATIONS AS AMENDED BY THESE REGULATIONS*

(2) For the purpose of any right to widow's benefit(*d*) or to a retirement pension or to a death grant, a contribution which a person is entitled, but not liable, to pay in accordance with the provisions of sub-paragraph (*b*) of paragraph (1) of regulation 5, or regulation 7, of these regulations, *or of regulation 5 of the National Insurance (Residence and Persons Abroad) Regulations, 1948(e), as amended(f), (which regulation contains special provisions for payment of contributions in respect of periods abroad)*, shall, if it is paid before the relevant time and within the period within which it may be paid under any of the said provisions, be treated as paid on the due date.

EXPLANATORY NOTE

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

These Regulations amend the provisions of the National Insurance (Contributions) Regulations, 1948, dealing with the late payment of contributions by extending the period in which contributions paid after the due date and before the relevant time may be treated as paid on that date for the purpose of widow's benefit, retirement pension and death grant. They also extend the time within which students, unpaid apprentices and persons detained in legal custody may pay contributions in respect of their periods of education, training or detention.

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 12th December, 1956 is contained in House of Commons Paper No. 29 (Session 1956–57) published by Her Majesty's Stationery Office.

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* The words added or substituted by these regulations are shown in italics.