1960 No. 782

The National Insurance (Contributions) Amendment Regulations, 1960

Made - - - -	*28th April*, 1960
Laid before Parliament	*5th May*, 1960
Coming into Operation	*9th May*, 1960

The Minister of Pensions and National Insurance, in conjunction with the Treasury, in exercise of powers conferred by section 5 (1) 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 (Contributions) Amendment Regulations, 1960, 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 9th May, 1960.

Amendment of regulation 4 of the principal regulations

2.—(1) Paragraph (3A)(**d**) of regulation 4 of the principal regulations (which paragraph relates to the circumstances in which a person may be excepted from liability to pay, and may be credited with, a contribution for a week of unemployment under regulation 2 of those regulations notwithstanding that he is engaged in part time employment in that week) shall be amended in accordance with the following paragraph and shall accordingly have effect as set out in the Schedule hereto.

(2) In sub-paragraph (*a*) of the said paragraph (3A) there shall be substituted for the words " that occupation is consistent with and different in nature from the full time employment for which he is so available " the words " the occupation in which he is so employed is consistent with that full time employment and, if he is following that occupation under a contract of service, it is not his usual main occupation ".

Dated this twenty-seventh day of April, 1960.

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

Dated this twenty-eighth day of April, 1960.

Graeme Bell Finlay,
J. D. Gibson-Watt,
Two of the Lords Commissioners of Her Majesty's Treasury.

(a) 9 & 10 Geo. 6. c. 67.
(b) S.I. 1948/1417 (Rev. XVI, p. 164: 1948 I, p. 2767).
(c) The relevant amending regulations are S.I. 1957/2176 (1957 I, p. 1642).
(d) *See* S.I. 1957/2176 (1957 I, p. 1642), reg. 3 (3).

SCHEDULE Regulation 2

CONTAINING REGULATION 4 (3A) OF THE PRINCIPAL REGULATIONS AS AMENDED BY THESE REGULATIONS*

(3A) For the purposes of the application of regulation 2 of these regulations to any person in respect of a week in which he is occupied in employment on any day, such occupation in employment shall be disregarded and that day shall not by reason only of that occupation be treated as not being a day of unemployment if—

(*a*) the employment is one in which that person, being available for full time employment in some employed contributor's employment, is occupied on any day or days in that week for not more than eight hours in the aggregate (including any occupation in an employment which by virtue of Part III of the First Schedule to the National Insurance (Classification) Regulations, 1948, as amended or, being employment in Her Majesty's Forces, by virtue of regulation 3 of the National Insurance (Members of the Forces) Regulations, 1949, is to be disregarded) and *the occupation in which he is so employed is consistent with that full time employment and, if he is following that occupation under a contract of service, it is not his usual main occupation* ; or

(*b*) the employment (not being employment which falls within sub-paragraph (*a*) of this paragraph) is one in respect of which, by virtue of paragraph 10 of Part II of the First Schedule to the said National Insurance (Classification) Regulations, 1948, (which paragraph relates to employment by one employer in a week in which a person renders part time services in that employment) he is treated as a self-employed person or would be so treated but for Part III of the said First Schedule and in which he is occupied on one day only in that week :

Provided that, where in the same week a person is occupied in employment which falls within sub-paragraph (*a*) and in employment which falls within sub-paragraph (*b*) of this paragraph, the provisions of this paragraph shall not apply to that person's case in that week if he is occupied in such employments for more than eight hours in the aggregate in that week.

EXPLANATORY NOTE

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

These Regulations, which amend the National Insurance (Contributions) Regulations, 1948, relate to the conditions under which a person may be excepted from liability to pay, and may be credited with, a contribution for a week of unemployment despite the fact that he is following a subsidiary occupation. The Regulations vary the wording of one of the conditions, which describes the nature of the occupation, and make it clear that it need not be satisfied if the occupation is not followed under a contract of service.

The amendment corresponds with an amendment made for benefit purposes by the National Insurance (Unemployment and Sickness Benefit) Amendment Regulations, 1960 (S.I. 1960/781 (1960 II, p. 2203)).

The report of the National Insurance Advisory Committee on the preliminary draft of these Regulations, dated the 7th April, 1960, is contained in the House of Commons Paper No. 183 (Session 1959-60) published by Her Majesty's Stationery Office.

---

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