STATUTORY INSTRUMENTS

1967 No. 1468

SOCIAL SECURITY

The National Insurance (Contributions) Amendment Regulations 1967

Made	*5th October* 1967
Laid before Parliament	*13th October* 1967
Coming into Operation	*14th October* 1967

The Minister of Social Security, in conjunction with the Treasury, in exercise of the powers conferred by sections 1(1), 8(1), 14(1) and 103 of, and paragraph 18 of Schedule 11 to, the National Insurance Act 1965(a), and of all other powers enabling her 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 1967, 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 14th October 1967.

Addition to the principal regulations

2. After regulation 27 of the principal regulations there shall be added the following regulation—

"Contributions not paid within prescribed periods

27A.—(1) Where a person was entitled to pay a contribution under any of the provisions of the regulations referred to in regulation 27(2) of these regulations (imprisonment or detention in legal custody, full-time education, unpaid apprenticeship and training, and periods abroad) but he failed to pay that contribution in the period provided for payment in the said provision applicable and his failure is shown to the satisfaction of the Minister to be attributable to ignorance or error on his part which was not due to any failure on his part to exercise due care and diligence, that contribution may be paid within such further period as the Minister may direct.

(a) 1965 c. 51.
(b) S.I. 1948/1417 (Rev. XVI. p. 164 : 1948 II, p. 2767).
(c) The relevant amending instruments are S.I. 1950/330, 1947, 1953/1544, 1956/2020, 1957/1299, 2176, 1960/1285, 1962/300 (1950 II, pp. 15, 20 ; 1953 I, p. 1372 ; 1956 I, p. 1639 ; 1957 I, pp. 1635, 1642 ; 1960 I, p. 2230 ; 1962 I, p. 289).

(2) Where a person was entitled to pay a contribution under the provisions of regulation 6(a) of the National Insurance (Residence and Persons Abroad) Regulations 1948(b), as amended (c), (which regulation made special provision for payment of contributions by persons returning to Great Britain after 5th July 1948) but he failed to pay that contribution in the period provided for payment in those provisions and his failure so to pay is shown to the satisfaction of the Minister to be attributable to ignorance or error on his part which was not due to any failure on his part to exercise due care and diligence, that contribution may be paid within such further period as the Minister may direct.

(3) Where a person returning to Great Britain more than three years after 5th July 1948 would have been entitled to pay contributions under the said regulation 6 if the Minister's power had been exercised thereunder to determine that in the particular case a period exceeding three years should apply, the Minister may, having regard to the circumstances of the case, determine that the provisions of paragraph (2) of this regulation shall apply as if the said period had been extended so as to include the date of that person's return to Great Britain.

(4) Where contributions are paid for any period in respect of a person by virtue of the provisions of paragraphs (2) or (3) of this regulation, that person shall be deemed to have been an insured person for that period."

Judith Hart,

Minister of Social Security.

28th September 1967.

J. Mc Cann,

E. Alan Fitch,

Two of the Lord's Commissioners of Her Majesty's Treasury.

5th October 1967.

(a) Revoked with effect from 22nd December 1956 by S.I. 1956/2021 (1956 I, p. 1687), regulation 3.
(b) 1948/1275 (Rev. XVI, p. 88 : 1948 II, p. 2864).
(c) The relevant amending instrument is S.I. 1950/1946 (1950 II, p. 27).

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the National Insurance (Contributions) Regulations 1948 (hereinafter called "the principal regulations") by inserting a new regulation 27A in Part V thereof, which relates to contributions which persons are entitled to pay but are not liable to pay. Paragraph (1) of the inserted regulation enables the Minister to give further time for the payment of contributions under regulations 5 or 7 of the principal regulations (which apply to persons in prison or detained in legal custody and to full-time students, unpaid apprentices and persons undergoing training, respectively), or under regulation 5 of the National Insurance (Residence and Persons Abroad) Regulations 1948 (hereinafter called "the residence regulations") (which regulation applies to insured persons outside Great Britain) where failure to pay within the period provided for in the regulation concerned is attributable to ignorance or error for which the person concerned was not to blame. Paragraphs (2) and (3) give a similar power to the Minister where there was or could have been a right to pay contributions under regulation 6 of the residence regulations (which applied to persons who were outside Great Britain on 5th July 1948 and were not then insured persons but who subsequently returned to Great Britain), which regulation was revoked in 1956. Paragraph (4) provides that persons to whom paragraphs (2) or (3) apply shall be insured persons for periods for which contributions are paid under the provisions of those paragraphs.

The preliminary draft of these Regulations was submitted to the National Insurance Advisory Committee in accordance with section 108 of the National Insurance Act 1965, and their report thereon, dated 12th September 1967, is contained in Command Paper (Cmnd. 3429) published by Her Majesty's Stationery Office.