STATUTORY INSTRUMENTS

1967 No. 756

SOCIAL SECURITY

The National Insurance (Earnings) Regulations 1967

Laid before Parliament in draft
Made - - - - 11*th May* 1967
Coming into Operation 5*th June* 1967

Whereas a draft of the following regulations was laid before Parliament and approved by resolution of each House of Parliament:

Now, therefore, the National Insurance Joint Authority, in exercise of powers conferred by section 114(5) of the National Insurance Act 1965(**a**), and the Minister of Social Security, in conjunction with the Treasury, in exercise of powers conferred by section 44(*a*) of that Act, in each case in exercise of all other powers enabling them in that behalf, and after considering the report of the National Insurance Advisory Committee on the preliminary draft submitted to them, hereby make the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the National Insurance (Earnings) Regulations 1967 and shall come into operation on 5th June 1967.

(2) In these regulations, unless the context otherwise requires, "the Act" means the National Insurance Act 1965, and other expressions have the same meaning as in the Act.

(3) References in these regulations to any enactment or regulations shall, unless the context otherwise requires, include a reference to such enactment or regulations as amended by any subsequent enactment, order or regulations.

(4) The rules for the construction of Acts of Parliament contained in the Interpretation Act 1889(**b**) shall apply for the purpose of the interpretation of these regulations as they apply for the purpose of the interpretation of an Act of Parliament.

Relaxation of earnings rule in relation to retirement pension

2.—(1) Section 30(7) of the Act (reduction of retirement pension on account of earnings) shall, as respects any week commencing on or after the coming into operation of these regulations, be amended in accordance with the provisions of the next following paragraph and shall accordingly, as respects any such week, have effect as set out in the Schedule to these regulations.

(2) In the said subsection (7) for the words "five pounds" and "six pounds" there shall be substituted respectively the words "six pounds ten shillings" and "eight pounds ten shillings".

Amendment of regulation 4 of the General Benefit Regulations

3. Regulation 4(1)(*a*)(i) of the National Insurance (General Benefit) Regulations 1948(**c**), as amended(**d**), (deductions from salary or wages authorised by

(**a**) 1965 c. 51. (**b**) 1889 c. 63. (**c**) S.I. 1948/1278 (Rev. XVI, p. 179: 1948 I, p. 2626).
(**d**) There is no amendment which relates expressly to the subject matter of this regulation.

statute), shall cease to have effect in relation to reduction of benefit on account of earnings in respect of any period on or after the date on which these regulations come into operation.

Given under the official seal of the National Insurance Joint Authority.

(L.S.) *N. E. Wade,*
A person authorised by the National Insurance Joint Authority to act on behalf of the Secretary, National Insurance Joint Authority..

10th May 1967.

Margaret Herbison,
Minister of Social Security.

10th May 1967.

Joseph Harper,
E. Alan Fitch,
Two of the Lords Commissioners of Her Majesty's Treasury.

11th May 1967.

Regulation 2

SCHEDULE

SECTION 30(7) OF THE ACT AS AMENDED BY THESE REGULATIONS*

(7) Subject to any regulations under section 44(*a*) of this Act, where the earnings of a beneficiary who is less than five years over pensionable age have exceeded *six pounds ten shillings* for the calendar week ending last before any week for which he is entitled to a retirement pension, the weekly rate of his pension shall for the last-mentioned week be reduced by sixpence for each complete shilling of the excess and a further sixpence for each complete shilling by which the earnings exceed *eight pounds ten shillings*:

Provided that this subsection shall not affect the rate of the pension for the first week after the date of the beneficiary's retirement.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations provide that the amount of earnings which is disregarded for the purpose of reducing the weekly rate of a retirement pension on account of the beneficiary's earnings shall be increased from five pounds to six pounds ten shillings and that the reduction of benefit for earnings in excess of six pounds ten shillings shall be sixpence for each shilling of the first forty shillings of the excess and one shilling for each shilling thereafter. The Regulations also revoke a provision in existing regulations which provides for the disregard, for the purpose of calculating earnings, of deductions which are statutorily authorised to be made from salary or wages.

The report of the National Insurance Advisory Committee on the preliminary draft of these Regulations, dated 12th April 1967, is contained in House of Commons Paper No. 441 (Session 1966-67) published by Her Majesty's Stationery Office.

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