STATUTORY INSTRUMENTS

1966 No. 388

NATIONAL INSURANCE

The National Insurance (General Benefit) Amendment Regulations 1966

Made - - - -	*6th April* 1966
Laid before Parliament	18*th April* 1966
Coming into Operation	19*th April* 1966

The National Insurance Joint Authority, in exercise of powers conferred by section 55 of the National Insurance Act 1965(a), and of all other powers enabling them in that behalf, after considering the report of the National Insurance Advisory Committee on the preliminary draft submitted to them, hereby make the following regulations:—

Citation, interpretation and commencement

1. These regulations, which may be cited as the National Insurance (General Benefit) Amendment Regulations 1966, shall be read as one with the National Insurance (General Benefit) Regulations 1948(b) as amended(c) (hereinafter referred to as "the principal regulations") and shall come into operation on 19th April 1966.

Revocation of regulation 5B

2. Regulation 5B of the principal regulations (children treated as included in family for increase of certain benefits) is hereby revoked.

Amendment of regulation 5C of the principal regulations

3. For regulation 5C of the principal regulations (contribution towards cost of providing for child), there shall be substituted the following regulation:—

"*Contribution towards cost of providing for child*

5C.—(1) Where, apart from section 42(1) of the National Insurance Act 1965, a person is entitled to receive, in respect of a particular child who is, or who falls to be treated for the purposes of the relevant provision as, a child of that person's family, payment of an amount by way of a guardian's allowance under section 29 or a child's special allowance under section 38 of that Act or of an increase under any of the provisions of section 40 of that Act of any benefit for any period, and neither of the conditions set out in the said section 42(1) of that Act, that is to say—

(*a*) that the child in question is living with that person; or

(*b*) that contributions to the cost of providing for the child in question are being made at a weekly rate not less than that required by that section;

(a) 1965 c. 51. (b) S.I. 1948/1278 (Rev. XVI, p. 179: 1948 I, p. 2626).
(c) The relevant amending instruments are S.I. 1957/1888, 1960/2422, 1965/40 (1957 I, p. 1534; 1960 II, p. 2169; 1965 I, p. 47).

is satisfied, that person shall nevertheless for the purposes of the said section 42(1) be deemed as respects that period to be making the contributions so required at a weekly rate not less than that required by that section if—

(i) he gives an undertaking in writing to make such contributions; and

(ii) on receiving the amount of the allowance or increase in question, he in fact makes such contributions;

so however, that if in respect of any period he fails to make the contributions which he has undertaken to make in accordance with this regulation, the decision awarding the allowance or increase in question for that period in respect of that child shall be revised.

(2) Where, for the purposes of section 40 of the National Insurance Act 1965, a person has a family which includes children, the elder or eldest of whom is treated as included in his family only by virtue of the provisions of section 41(3) of that Act, and there is also another child living with that person who is included or treated as included in his family otherwise than by virtue of the said section 41(3), that person shall in relation to an increase of sickness benefit, unemployment benefit or retirement pension in respect of the said elder or eldest child be deemed to be contributing to the cost of providing for that child for the purposes of section 42(1)(*b*) of that Act at a weekly rate not less than that required in the case of that child by that section if he contributes to the cost of providing for that child at a rate not less than the rate appropriate in the circumstances of that case to a child other than the said elder or eldest child in relation to the benefit in question."

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

(L.S.)

D. J. Carter,
Secretary,
National Insurance Joint Authority.

6th April 1966.

EXPLANATORY NOTE

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

These Regulations further amend the National Insurance (General Benefit) Regulations 1948. They substitute for the existing regulation 5C a new regulation 5C which indicates the circumstances in which persons claiming certain benefits in respect of a child can be deemed to satisfy the condition in section 42 of the National Insurance Act 1965 that they are making the required contribution to the cost of providing for the child. They also revoke regulation 5B of those regulations.

The Report of the National Insurance Advisory Committee, dated 25th February 1966, on the preliminary draft of these Regulations, is contained in Command Paper (Cmnd. 2959) published by Her Majesty's Stationery Office.