1966 No. 389

NATIONAL INSURANCE (INDUSTRIAL INJURIES)

The National Insurance (Industrial Injuries) (Benefit) Amendment (No. 2) Regulations 1966

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

The Industrial Injuries Joint Authority, in exercise of the powers conferred by section 34(1) of the National Insurance (Industrial Injuries) Act 1965(a) and of all other powers enabling them in that behalf and after reference to the Industrial Injuries Advisory Council hereby make the following regulations:—

Citation, interpretation and commencement

1. These regulations, which may be cited as the National Insurance (Industrial Injuries) (Benefit) Amendment (No. 2) Regulations 1966, shall be read as one with the National Insurance (Industrial Injuries) (Benefit) Regulations 1964(b) as amended (c) (hereinafter referred to as " the principal regulations ") and shall come into operation on 19th April 1966.

Revocation of regulation 13

2. Regulation 13 of the principal regulations (children treated as included in family for increase of certain benefits) is hereby revoked.

Amendment of regulation 14 *of the principal regulations*

3. For regulation 14 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*

14.—(1) Where, apart from sections 17(4) and 21(4) of the National Insurance (Industrial Injuries) 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 provisions as, a child of that person's family, payment of an increase of any amount under sections 17 or 21 of that Act for any period and neither of the conditions set out in the said section 17(4) 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,

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(a) 1965 c. 52.

(b) S.I. 1964/504 (1964 I, p. 833).

(c) There is no amendment which relates expressly to the subject matter of these Regulations.

is satisfied, that person shall nevertheless for the purposes of the said sections 17(4) and 21(4) be deemed as respects that period to be making the contributions so required at a weekly rate not less than that required by the said Section 17(4) 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 17(1) of the National Insurance (Industrial Injuries) 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 17(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 17(3), that person shall in relation to an increase of injury benefit or disablement 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 17(4)(*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 Industrial Injuries Joint Authority.

(L.S.).

D. J. Carter,
Secretary,
Industrial Injuries Joint Authority.

6th April 1966.

EXPLANATORY NOTE

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

These Regulations amend the National Insurance (Industrial Injuries) (Benefit) Regulations 1964. They substitute for the existing regulation 14 a new regulation which indicates the circumstances in which persons claiming certain benefits in respect of a child can be deemed to satisfy the conditions in sections 17 and 21 of the National Insurance (Industrial Injuries) Act 1965 that they are making the required contribution to the cost of providing for the child. They also revoke regulation 13 of those Regulations.