BENEFIT

1960 No. 254

The National Insurance (Industrial Injuries) (Benefit) Amendment Regulations, 1960

Made - - - -	16*th February*, 1960
Laid before Parliament	19*th February*, 1960
Coming into Operation	29*th February*, 1960

The Minister of Pensions and National Insurance, in exercise of powers conferred by sections 32 (1) and 86 of the National Insurance (Industrial Injuries) Act, 1946(**a**), and after reference to the Industrial Injuries Advisory Council, hereby makes the following regulations :—

Citation, interpretation and commencement

1. These regulations, which may be cited as the National Insurance (Industrial Injuries) (Benefit) Amendment Regulations, 1960, shall be read as one with the National Insurance (Industrial Injuries) (Benefit) Regulations, 1948(**b**), (hereinafter referred to as "the principal regulations"), and shall come into operation on the 29th February, 1960.

Amendment to regulation 23 of the principal regulations

2. For paragraph (2), as amended(**c**), of regulation 23 of the principal regulations (which paragraph relates to exception from disqualification for receiving disablement benefit during absence from Great Britain), there shall be substituted the following paragraph :—

"(2) A person shall not be disqualified for receiving—

(*a*) disablement benefit (other than any increase thereof) for any period during which he is absent from Great Britain ;

(*b*) an increase of disablement pension by way of unemployability supplement under section 13 or under section 82(**d**) of the Act—

(i) by reason of being temporarily absent from Great Britain (being in the Isle of Man or the Channel Islands) during the period of six months from the date on which such absence commences ; or

(ii) by reason of being temporarily absent from Great Britain (not being in the Isle of Man or the Channel Islands) for the specific purpose of being treated for incapacity which commenced before he left Great Britain, during such period as the Minister may allow, having regard to the particular circumstances of the case ; or

(iii) by reason of being temporarily absent from Great Britain for any period in respect of which an increase of disablement pension in respect of the need of constant attendance is payable to him, or, but for the proviso to subsection (3) of section 15 of the Act, would be payable to him ;

(**a**) 9 & 10 Geo. 6. c. 62. (**b**) S.I. 1948/1372 (Rev. XVI, p. 441 : 1948 I, p. 2918).
(**c**) S.I. 1951/833 (1951 I, p. 1499). (**d**) *See* National Insurance (Industrial Injuries) Act, 1953. s. 6 (1 & 2 Eliz. 2. c. 43).

(*c*) an increase of disablement pension in respect of the need of constant attendance under section 15 or under section 82(a) of the Act by reason of being temporarily absent from Great Britain during the period of six months from the date on which such absence commences;

(*d*) an increase of disablement pension in respect of a spouse under section 18 or under section 82(a) of the Act by reason either of the spouse or that person being absent from Great Britain, provided that person is entitled to receive an unemployability supplement and is residing with the spouse;

(*e*) an increase of disablement pension in respect of a child or children under section 17 or under section 82(a) of the Act by reason of that person being absent from Great Britain, provided that person is entitled to receive an unemployability supplement."

Dated this sixteenth day of February, 1960.

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

EXPLANATORY NOTE

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

These Regulations further amend regulation 23 of the National Insurance (Industrial Injuries) (Benefit) Regulations, 1948, by removing the existing disqualification so as to permit persons in certain circumstances to receive increases of disablement pension on account of unemployability supplement and constant attendance allowance, and an increase of disablement pension in respect of a spouse and children, during certain periods of temporary absence from Great Britain.

(a) *See* National Insurance (Industrial Injuries) Act, 1953, s. 6 (1 & 2 Eliz. 2. c. 43).