EXPLANATORY NOTE

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

These regulations amend the National Insurance (Modification of Local Government Superannuation Schemes) Regulations, 1947, by the addition of a provision which ensures that persons who transfer from the fire service to employment in which they are subject to the Local Government Superannuation Act, 1937, or a local Act scheme in circumstances in which their service as firemen is reckonable for superannuation purposes, shall retain the benefit of any options they may have exercised in relation to the modification of their superannuation rights under the Firemen's Pension Scheme in consequence of the benefits provided by the National Insurance Act.

1952 No. 422

The National Insurance (Overlapping Benefits) Amendment Regulations, 1952

Made - - - -	*3rd March,* 1952
Laid before Parliament	*6th March,* 1952
Coming into Operation	*10th March,* 1952

The National Insurance Joint Authority(a), in conjunction with the Treasury, in exercise of the powers conferred by section 30 of the National Insurance Act, 1946(b), and of all other powers enabling them in that behalf, hereby make the following regulations:—

Citation, interpretation and commencement

1. These regulations, which may be cited as the National Insurance (Overlapping Benefits) Amendment Regulations, 1952, shall be read as one with the National Insurance (Overlapping Benefits) Regulations, 1948(c), as amended(d) (hereinafter referred to as " the principal regulations ") and shall come into operation on the 10th March, 1952.

Amendment of the principal regulations

2. In paragraph (2) of regulation 1 of the principal regulations (which, as amended(e), contains definitions), after the definition of " 1914-1918 War Injuries Scheme ", there shall be inserted the following definitions:—

" ' Pneumoconiosis and Byssinosis Benefit Scheme ' means any scheme made under the Pneumoconiosis and Byssinosis Benefit Act, 1951(f);

' supplement on account of unemployability ' includes an increase, on account of unemployability, of an allowance under any Pneumoconiosis and Byssinosis Benefit Scheme; ".

(a) *See* s. 63 (2), National Insurance Act, 1946, and National Insurance (Northern Ireland Reciprocal Arrangements) Regulations, 1948 (S.I. 1948/211; Rev. XVI, p. 367; 1948 I, p. 2905).

(b) 9 & 10 Geo. 6. c. 67.

(c) S.I. 1948/2711; Rev. XVI, p. 196; 1948 I, p. 2657.

(d) *See* regs. 19 and 21, National Insurance (Increase of Benefit, Re-entry into Regular Employment and Miscellaneous Provisions) Regulations, 1951 (S.I. 1951/1232; 1951 I, p. 1457), and S.I. 1951/1605; 1951 I, p. 1493.

(e) *See* reg. 2 (1), S.I. 1951/1605; 1951 I, p. 1493.

(f) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 4.

3.—(1) Paragraph (4) of regulation 2 of the principal regulations (which, as amended(**a**), specifies the personal benefits otherwise than under the Act by reference to which personal benefits under the Act are to be adjusted) and paragraph (2) of regulation 5 of the principal regulations (which specifies the dependency benefits by reference to which dependency benefits under the Act are to be adjusted) shall be amended in accordance with the following provisions of this regulation and shall accordingly have effect as set out in the Schedule to these regulations.

(2) In the said paragraph (4) of regulation 2, after sub-paragraph (*a*), there shall be inserted the following sub-paragraph:—

"(*aa*) any personal benefit by way of a supplement on account of unemployability under any Pneumoconiosis and Byssinosis Benefit Scheme;".

(3) In the said paragraph (2) of regulation 5, after the words "any 1914-1918 War Injuries Scheme", there shall be inserted the words "or any Pneumoconiosis and Byssinosis Benefit Scheme".

4. At the end of paragraph (5) of Column 2 of the Schedule to the principal regulations (which Schedule, as amended(**b**), specifies the cases in which personal benefits under the Act are not required to be adjusted), there shall be added the words "or any Pneumoconiosis and Byssinosis Benefit Scheme".

Given under the official seal of the National Insurance Joint Authority this 28th day of February, nineteen hundred and fifty-two.

(L.S.) *T. C. Stephens,*
Secretary,
National Insurance Joint Authority.

Dated this 3rd day of March, nineteen hundred and fifty-two.

Edward Heath,
H. R. Mackeson,
Two of the Lords Commissioners of
Her Majesty's Treasury.

SCHEDULE

Regulation 3.

CONTAINING PROVISIONS OF THE PRINCIPAL REGULATIONS WHICH ARE AMENDED BY THESE REGULATIONS*

Paragraph (4) of Regulation 2 of the principal regulations as amended by these Regulations

(4) The personal benefits referred to in this regulation and in regulation 3 as "the specified benefits" are—

(*a*) any personal benefit by way of injury benefit or a supplement on account of unemployability, or any personal death benefit, under the Industrial Injuries Act;

(*aa*) *any personal benefit by way of a supplement on account of unemployability under any Pneumoconiosis and Byssinosis Benefit Scheme;*

(*b*) any personal benefit by way of a supplement on account of unemployability, or any personal death benefit by way of pension or allowance (not being a pension or allowance calculated by reference to the necessities of the beneficiary), under any Personal Injuries Scheme or Service Pensions Instrument or any 1914-1918 War Injuries Scheme; and

(*c*) any personal benefit by way of training allowance under any training scheme.

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

(**a**) *See* reg. 3, S.I. 1951/1605; 1951 I, p. 1493.

(**b**) *See* reg. 7, S.I. 1951/1605; 1951 I, p. 1493.

Paragraph (2) of Regulation 5 of the principal regulations as amended by these Regulations

(2) The dependency benefits referred to in the preceding paragraph of this regulation are any dependency benefit under the Act or the Industrial Injuries Act or any Personal Injuries Scheme or any Service Pensions Instrument or any 1914-1918 War Injuries Scheme *or any Pneumoconiosis and Byssinosis Benefit Scheme* or any training scheme except any dependency benefit by way of an allowance in respect of a child payable for the purpose of his education.

EXPLANATORY NOTE

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

These Regulations amend the National Insurance (Overlapping Benefits) Regulations, 1948, by providing for the adjustment of certain benefits payable under the National Insurance Acts by reference to similar benefits where these are payable under any scheme made under the Pneumoconiosis and Byssinosis Benefit Act, 1951.

The preliminary draft of these Regulations (then entitled the National Insurance (Overlapping Benefits) Amendment (No. 2) Regulations, 1952) was submitted to the National Insurance Advisory Committee in accordance with Section 77 of the National Insurance Act, 1946, and their report thereon, dated the 19th February, 1952, is contained in House of Commons Paper No. 122 (Session 1951-52) published by Her Majesty's Stationery Office.

1952 No. 526

The National Insurance (Overlapping Benefits) Amendment (No. 2) Regulations, 1952

Made - - - -	14*th March*, 1952
Laid before Parliament	14*th March*, 1952
Coming into Operation	18*th March*, 1952

The National Insurance Joint Authority(**a**), in conjunction with the Treasury, in exercise of the powers conferred by section 30 of the National Insurance Act, 1946(**b**), and of all other powers enabling them in that behalf, hereby make the following regulations:—

Citation, interpretation and commencement

1. These regulations, which may be cited as the National Insurance (Overlapping Benefits) Amendment (No. 2) Regulations, 1952, shall be read as one with the National Insurance (Overlapping Benefits) Regulations, 1948(**c**), as amended(**d**) (hereinafter referred to as "the principal regulations") and shall come into operation on the 18th March, 1952.

(**a**) *See* s. 63 (2), National Insurance Act, 1946 and National Insurance (Northern Ireland Reciprocal Arrangements) Regulations, 1948 (S.I. 1948/211; Rev. XVI, p. 367; 1948 I, p. 2905).

(**b**) 9 & 10 Geo. 6. c. 67.

(**c**) S.I. 1948/2711; Rev. XVI, p. 196; 1948 I, p. 2657.

(**d**) *See* regs. 19 and 21, National Insurance (Increase of Benefit, Re-entry into Regular Employment and Miscellaneous Provisions) Regulations, 1951 (S.I. 1951/1232; 1951 I, p. 1457), and S.I. 1952/422, p. 2194 above.