1960 No. 1286

The National Insurance (Unemployment and Sickness Benefit) Amendment (No. 2) Regulations, 1960

Made - - - -	25*th July*, 1960
Laid before Parliament	29*th July*, 1960
Coming into Operation	19*th September*, 1960

The National Insurance Joint Authority(a), in exercise of powers conferred by sections 11 (3) and 13 (3) of the National Insurance Act, 1946(b), 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 (Unemployment and Sickness Benefit) Amendment (No. 2) Regulations, 1960, shall be read as one with the National Insurance (Unemployment and Sickness Benefit) Regulations, 1948(c), as amended(d) (hereinafter referred to as "the principal regulations") and shall come into operation on the 19th September, 1960.

Amendment of regulation 6 of the principal regulations

2.—(1) Sub-paragraph (*g*) of paragraph (1) of regulation 6 of the principal regulations (which sub-paragraph relates to days which are not to be treated as days of incapacity for work) shall be amended in accordance with the following provisions of this regulation and shall accordingly have effect as set out in the First Schedule to these regulations.

(2) The words "as an employed or self-employed person" in the said sub-paragraph (*g*) shall be omitted and, for the words "other than such work as is referred to in sub-paragraph (iii) of paragraph (*d*) of regulation 10", there shall be substituted the words "other than—

(i) work which is undertaken under medical supervision as part of his treatment while he is a patient in or of a hospital or similar institution, or

(ii) work as a non-employed person which is not so undertaken and which he has good cause for doing,

and from which, in the case of work of either description, his earnings, if any, are ordinarily less than forty shillings a week".

(a) *See* National Insurance Act, 1946, s. 63 (2) 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. 1948/1277 (Rev. XVI, p. 212: 1948 I, p. 2676).

(d) There are no previous amendments which are relevant to the amendments made by these regulations.

Amendment of regulation 10 of the principal regulations

3.—(1) Paragraph (*d*) of regulation 10 of the principal regulations (which paragraph prescribes rules of behaviour, failure to observe which results in disqualification for the receipt of sickness benefit) shall be amended in accordance with the following provisions of this regulation and shall accordingly have effect as set out in the Second Schedule to these regulations.

(2) In sub-paragraph (iii) of the said paragraph (*d*) (which sub-paragraph specifies work which may be done without causing a breach of the rules of behaviour), for all the words after the words "which is", there shall be substituted the words "described in sub-paragraph (*g*) of paragraph (1) of regulation 6 of these regulations".

Given under the Official Seal of the National Insurance Joint Authority this Twenty-fifth day of July, 1960.

(L.S.)

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

FIRST SCHEDULE

Regulation 2

REGULATION 6 (1) (*g*) OF THE PRINCIPAL REGULATIONS AS AMENDED*

(*g*) a day shall not be treated as a day of incapacity for work if a person does any work on that day, *other than*—

(i) *work which is undertaken under medical supervision as part of his treatment while he is a patient in or of a hospital or similar institution, or*

(ii) *work as a non-employed person which is not so undertaken and which he has good cause for doing,*

and from which, in the case of work of either description, his earnings, if any, are ordinarily less than forty shillings a week;

SECOND SCHEDULE

Regulation 3

REGULATION 10 (*d*) OF THE PRINCIPAL REGULATIONS AS AMENDED*

(*d*) he fails without good cause to observe any of the following rules of behaviour, namely:—

(i) to refrain from behaviour calculated to retard his recovery, and to answer any reasonable enquiries (not being enquiries relating to medical examination, treatment or advice) by the Minister or his officers directed to ascertaining whether he is doing so;

(ii) not to be absent from his place of residence without leaving word where he may be found;

(iii) to do no work for which remuneration is, or would ordinarily be, payable unless it is work which is *described in sub-paragraph (g) of paragraph (1) of regulation (6) of these regulations.*

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

EXPLANATORY NOTE

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

These Regulations amend the provision in the National Insurance (Unemployment and Sickness Benefit) Regulations, 1948, that a day is not to be treated as a day of incapacity for work if, on that day, a person does any work other than work as a non-employed person or, subject to an earnings limit, work under medical supervision while the person is a hospital patient. These Regulations increase that earnings limit; they apply it also to work done as a non-employed person, and require that such work, to be excepted, must be done with good cause. The Regulations also amend the rules of behaviour which are required to be observed by specifying the work which is described above as work which may be done without infringing those rules.

The report of the National Insurance Advisory Committee on the preliminary draft of these Regulations, dated the 18th July, 1960, is contained in the House of Commons Paper No. 277 (Session 1959–60) published by Her Majesty's Stationery Office.