1960 No. 781

The National Insurance (Unemployment and Sickness Benefit) Amendment Regulations, 1960

Made - - - -	*28th April*, 1960
Laid before Parliament	*5th May*, 1960
Coming into Operation	*9th May*, 1960

The National Insurance Joint Authority(a), in exercise of powers conferred by subsection (3) of section 11 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 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 9th May, 1960.

Amendment of regulation 6 of the principal regulations

2.—(1) Sub-paragraph (*h*) of paragraph (1) of regulation 6 of the principal regulations (which paragraph relates to days which, for the purposes of unemployment and sickness benefit, are not to be treated as days of unemployment or incapacity for work) shall be amended in accordance with the following paragraph and shall accordingly have effect as set out in the Schedule to these regulations.

(2) The words " and different in nature from " in the said sub-paragraph (*h*) shall be omitted and, at the end of that sub-paragraph, there shall be added the words " and, if he is following that occupation under a contract of service, it is not his usual main occupation ".

Given under the official seal of the National Insurance Joint Authority this 28th day of April, 1960.

(L.S.)

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

(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. 1948/1277 (Rev. XVI, p. 212: 1948 I, p. 2676).

(d) The relevant amending regulations are S.I. 1949/1983, 1955/143, 1957/1870 (1949 I, p. 2700; 1955 I, p. 1627; 1957 I, p. 1611).

SCHEDULE Regulation 2

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

(*h*) (subject to the provisions of regulation 7) a day shall not be treated as a day of unemployment if on that day an insured person is following any occupation (including any occupation in an employment which, in accordance with any provision of the Act and the regulations made thereunder relating to the classification of insured persons or in accordance with the provisions of regulation 3 of the National Insurance (Members of the Forces) Regulations, 1949 (which provides for the disregarding of the employment of certain persons in Her Majesty's Forces), is to be disregarded) unless the earnings derived from that occupation, in respect of that day, do not exceed six shillings and eightpence, or where the earnings are earned in respect of a longer period than a day, the earnings do not on the daily average exceed that amount, and unless he is available on that day for full-time employment in some employed contributor's employment and the occupation which he is following is consistent with that full-time employment *and, if he is following that occupation under a contract of service, it is not his usual main occupation.*

EXPLANATORY NOTE

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

These Regulations, which amend the National Insurance (Unemployment and Sickness Benefit) Regulations, 1948, relate to the conditions under which a person may be entitled to unemployment benefit despite the fact that he is following a subsidiary occupation. The Regulations vary the wording of one of the conditions, which describes the nature of the occupation, and make it clear that it need not be satisfied if the occupation is not followed under a contract of service.

The report of the National Insurance Advisory Committee on the preliminary draft of these Regulations, dated the 7th April, 1960, is contained in the House of Commons Paper No. 183 (Session 1959–60) published by Her Majesty's Stationery Office.

---

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