STATUTORY INSTRUMENTS

1967 No. 330

SOCIAL SECURITY

The National Insurance (Unemployment and Sickness Benefit) Regulations 1967

Made - - - -	*2nd March* 1967
Laid before Parliament	14*th March* 1967
Coming into Operation	16*th March* 1967

The National Insurance Joint Authority, in exercise of powers conferred by sections 18, 20(1), 20(2)(*a*), 21(4), 22(3), 43(2) and 45 of the National Insurance Act 1965(**a**) and the Minister of Social Security, in exercise of powers conferred by section 20(2)(*b*) of the said Act (as substituted by section 3(1)(*b*) of the National Insurance Act 1966(**b**)) and sections 2(8)(*a*) and 14(5) of the said Act of 1966 and of all other powers enabling them in that behalf, in each case in conjunction with the Treasury so far as relates to matters with regard to which the Treasury have so directed, and for the purpose only of consolidating the regulations hereby revoked, hereby make the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the National Insurance (Unemployment and Sickness Benefit) Regulations 1967, and shall come into operation on 16th March 1967.

(2) In these regulations, unless the context otherwise requires—

"the Act" means the National Insurance Act 1965;

"the 1966 Act" means the National Insurance Act 1966;

"the Minister" means the Minister of Social Security;

"the Commissioner" means the Chief National Insurance Commissioner appointed under section 9 of the 1966 Act and any other National Insurance Commissioner so appointed or any tribunal constituted under subsection (3) of that section;

"local tribunal" means a tribunal constituted in accordance with section 77 of the Act;

"insurance officer" means an officer appointed in accordance with section 68(1) of the Act;

"the determining authority" means, as the case may require, an insurance officer, a local tribunal or the Commissioner;

"contributions" has the same meaning as in the Act save that it does not include graduated contributions under the Act;

and other expressions have the same meaning as in the Act.

(3) References in these regulations to any enactment or regulations shall, unless the context otherwise requires, include a reference to such enactment or regulations as amended by any subsequent enactment, order or regulations.

(**a**) 1965 c. 51. (**b**) 1966 c. 6.

(4) The rules for the construction of Acts of Parliament contained in the Interpretation Act 1889(a) shall apply in relation to this instrument and in relation to the revocations effected by it as if this instrument and the regulations revoked by it and any regulations revoked by the regulations so revoked were Acts of Parliament, and as if each revocation were a repeal.

Contributions treated as equivalent to contributions of the appropriate class

2. Where a person makes a claim for unemployment benefit or for sickness benefit for a day which forms part of a period of interruption of employment, the following provisions of this regulation shall apply in relation to the claimant and, for the purposes of those provisions, the following expressions have the meanings hereby respectively assigned to them—

"appropriate week" means a contribution week in respect of which a contribution as an employed person or as a self-employed person does not, by virtue of any other provision of the regulations made under the Act, fall to be credited to the claimant;

"relevant contribution year" means the last complete contribution year before the benefit year which includes the day for which benefit is claimed;

"relevant period" means the period beginning with the first day of the relevant contribution year and ending immediately before the contribution week which includes the day for which benefit is claimed:—

(1) If, in respect of the relevant contribution year, there have been paid by or credited to the claimant not less than thirty-nine contributions of the appropriate class, every contribution as an insured person which is not a contribution of the appropriate class and has been paid by or credited to the claimant in respect of the relevant contribution year shall, for the purpose of his right to the benefit claimed for the day in question, be treated as equivalent to a contribution of the appropriate class.

(2) If, in respect of appropriate weeks in the relevant period or (in a case where the number of appropriate weeks in the relevant period exceeds thirty-nine) in respect of the last thirty-nine appropriate weeks in the relevant period, the claimant has paid not less than twenty-six contributions as an employed person, every contribution as a self-employed or non-employed person paid by or credited to the claimant in respect of a contribution week in the relevant contribution year shall be treated as equivalent to a contribution as an employed person for the purpose of his satisfying the contribution condition set out in paragraph 1(*b*) of Schedule 2 to the Act (contribution conditions for unemployment and sickness benefit) whether in relation to the benefit claimed for the day in question or in relation to any benefit of the same description claimed by the claimant for any later day in the benefit year which includes the day in question.

(3) If the claim is a claim for sickness benefit and, in respect of appropriate weeks in the relevant period or (in a case where the number of appropriate weeks in the relevant period exceeds thirty-nine) in respect of the last thirty-nine appropriate weeks in the relevant period, the claimant has not paid twenty-six contributions as an employed person but has paid (either with or without any other contribution) twenty-six contributions of which each is either a contribution as an employed person or a contribution as a self-employed person, every contribution as a non-employed person paid by or credited to the claimant in respect of a week

(a) 1889 c. 63.

in the relevant contribution year shall be treated as equivalent to a contribution as a self-employed person for the purpose of his satisfying the contribution condition set out in the said paragraph 1(*b*) whether in relation to the sickness benefit claimed for the day in question or in relation to any sickness benefit claimed by the claimant for any later day in the benefit year which includes the day in question.

Persons deemed to be incapable of work

3.—(1) A person who is not incapable of work shall, if an insurance officer, a local tribunal or the Commissioner, as the case may be, so determines, be deemed to be incapable of work by reason of some specific disease or bodily or mental disablement for any day on which he satisfies the conditions specified in sub-paragraph (*a*) or sub-paragraph (*b*) below, namely:—

(*a*) that he is under medical care in respect of a disease or disablement as aforesaid; that it is certified by a registered medical practitioner that by reason of such disease or disablement he should abstain from work; and that he does not work; or

(*b*) that he is excluded from work on the certificate of a medical officer of health of a local authority; and that he is under medical observation by reason of his being a carrier, or having been in contact with a case, of infectious disease.

(2) A person who at the commencement of any day is or thereafter on that day becomes incapable of work by reason of some specific disease or bodily or mental disablement and does no work as an employed or self-employed person on that day shall be deemed to be so incapable of work throughout that day.

Special provisions relating to day substituted for Sunday

4.—(1) In the case of a person who—

(*a*) in any week in which, in the normal course, he would work as an employed person on not more than six days including the Sunday, is unemployed on that Sunday; and

(*b*) claims unemployment benefit for that Sunday;

the day of that week on which, in the normal course, he would not work as an employed person, or (if that week contains more than one day on which in the normal course he would not so work) the later or last of those days shall be substituted for that Sunday as a day which, by virtue of the provisions of section 20(1)(*e*) of the Act, is not to be treated as a day of unemployment or of incapacity for work for the purposes of any provision of the Act relating to unemployment or sickness benefit and, for those purposes, is to be disregarded in computing any period of consecutive days.

(2) In the application to a person of paragraph 1(*a*) of this regulation, no account shall be taken of any period of short-time working due to adverse industrial conditions in determining whether in any week, in the normal course, a person would work as an employed person on not more than six days including the Sunday.

(3) In the case of a person who—

(*a*) in any week, in the normal course, would not work as an employed person on the Sunday;

(*b*) objects on religious grounds to working on a specific day in each week other than Sunday, but does not so object to working on Sunday; and

(*c*) in respect of that week is unemployed on and claims unemployment benefit for Sunday;

that specific day shall in that week be substituted for Sunday as a day which, by virtue of the provisions of section 20(1)(*e*) of the Act, is not to be treated as a day of unemployment or of incapacity for work for the purposes of any provision of the Act relating to unemployment benefit or sickness benefit and, for those purposes, is to be disregarded in computing any period of consecutive days.

(4) In this regulation, the expression "week" means a period of seven days commencing with the midnight between Saturday and Sunday.

Night workers

5.—(1) The following provisions of this regulation shall apply in relation to night workers for the purposes of unemployment benefit and sickness benefit.

(2) Where a period of employment begun on any day extends over midnight into the following day, the person employed shall, in respect of such period—

(*a*) be treated as having been employed on the first day only, if the employment before midnight is of longer duration than that after midnight, and, in that case, the first day shall not be treated as a day of interruption of employment; or

(*b*) be treated as having been employed on the second day only, if the employment after midnight is of longer duration than that before midnight, or if the employment before and after midnight is of equal duration, and, in either of these cases, the second day shall not be treated as a day of interruption of employment.

(3) Where a person—

(*a*) is, by virtue of the provisions of paragraph (2) of this regulation, to be treated as having been employed on one day only of two days; and

(*b*) throughout that part of the other of those two days during which that person is not employed, is, or is deemed in accordance with regulations to be, available for employment in an employed contributor's employment or incapable of work by reason of some specific disease or bodily or mental disablement,

that person shall, for the purposes of unemployment or sickness benefit, be deemed to be so available for employment, or, as the case may be, to be so incapable of work, throughout that other of those two days.

(4) Where a person—

(*a*) is, by virtue of the provisions of paragraph (2) of this regulation, to be treated as having been employed on the second day only of two days; and

(*b*) throughout the day immediately preceding the first of those two days, is, or is deemed in accordance with regulations to be, incapable of work by reason of some specific disease or bodily or mental disablement,

that person shall, for the purposes of sickness benefit, be deemed to be so incapable of work throughout the first of those two days.

Provisions relating to suspension of employment in employed contributor's employment

6.—(1) Where an employed contributor's employment has not been terminated but a person's employment therein has been suspended, that employment

shall for the purpose of section 20(1)(*b*) of the Act, as substituted by section 3(1) of the 1966 Act, be treated as having been terminated if the occupation in that employment is one which falls to be disregarded under the provisions of regulation 7(1)(*i*) of these regulations.

(2) For the purpose of section 20(1)(*b*) of the Act, as substituted by section 3(1) of the 1966 Act, a person's employment in an employed contributor's employment shall be treated as having been suspended, notwithstanding that he is or was incapable of work on any day, if it would have been so treated had that person not been incapable of work on that day, and any such day of incapacity shall be treated as the first or a later day in a continuous period of suspension if it would have been so treated had that person not been incapable of work on that day.

(3) For the purpose of determining the seventh or a later day in a continuous period of days on which a person employed in an employed contributor's employment has been suspended by the employer, there shall be disregarded the last day on which work in that employment was available to that person and any day before that day.

(4) The preceding paragraphs of this regulation shall have effect:—

(*a*) for the purpose of earnings-related supplement payable under section 2 of the 1966 Act and in determining for the purpose of regulation 7(1)(*j*) of, or paragraph 1 of Schedule 3 to, these regulations the seventh or a later day in a continuous period of suspension, as from the date on which these regulations come into operation;

(*b*) for the purpose of any other provision of the Act relating to unemployment benefit and to a day or period of interruption of employment, as from 10th March 1969.

Days not to be treated as days of unemployment or incapacity for work

7.—(1) For the purposes of unemployment and sickness benefit—

(*a*) a day shall not be treated as a day of interruption of employment if it is a day in respect of which a person fails to prove, in such manner as the Minister shall require, that he is unemployed and capable of work and available for employment in an employed contributor's employment, or incapable of work, as the case may be;

(*b*) where in respect of any day a person places restrictions on the nature, hours, rate of remuneration or locality or other conditions of employment which he is prepared to accept and as a consequence of those restrictions has no reasonable prospects of securing employment, that day shall not be treated as a day of unemployment unless—

(i) he is prevented from having reasonable prospects of securing employment consistent with those restrictions only as a result of adverse industrial conditions in the locality or localities concerned which may reasonably be regarded as temporary, and, having regard to all the circumstances, personal and other, the restrictions which he imposes are reasonable; or

(ii) the restrictions are nevertheless reasonable in view of his physical condition; or

(iii) the restrictions are nevertheless reasonable having regard both to the nature of his usual occupation and also to the time which has elapsed since he became unemployed;

(*c*) a day shall not be treated as a day of unemployment if it is a day in respect of which a person is disqualified for receiving unemployment benefit;

(*d*) a day shall not be treated as a day of incapacity for work if it is a day in respect of which a person is disqualified for receiving sickness benefit;

(*e*) a day shall not be treated as a day of unemployment if it is a day in respect of which a person receives a payment in lieu of either, the notice required to be given to him by his employer to terminate his contract of employment or, where the contract of employment is a contract for a term certain, the remuneration which he would have received for that day if the employment had not been terminated;

(*f*) subject to the provisions of paragraph (2) of this regulation, a day shall not be treated as a day of unemployment if on that day a person does no work and is a person who does not ordinarily work on every day in a week (exclusive of Sunday or the day substituted therefor by regulation 4) but who is, in the week in which the said day occurs, employed to the full extent normal in his case, and in the application of this sub-paragraph to any person, no account shall be taken, in determining either the number of days in a week on which he ordinarily works or the full extent of employment in a week which is normal in his case, of any period of short-time working due to adverse industrial conditions;

(*g*) a day shall not be treated as a day of incapacity for work if on that day a person is attending at a training course provided by the Minister of Labour, or at a training course or course of instruction provided in pursuance of arrangements made with that Minister by any public authority, firm or person, or at a course of training in agricultural occupations provided by, or in pursuance of arrangements made by, the Minister of Agriculture, Fisheries and Food or the Secretary of State, and payment of training allowance is made by or on behalf of either of those Ministers or the Secretary of State to the said person so attending for his attendance at any of the said courses;

(*h*) 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 40 shillings a week;

(*i*) subject to the provisions of regulation 8, 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(**a**), as amended (**b**), (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

(**a**) S.I. 1949/875 (1949 I, p. 2731).
(**b**) The relevant amending instrument is S.I. 1952/649 (1952 II, p. 2188).

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;

(*j*) subject to heads (i) and (ii) of this sub-paragraph, where in the case of any person an employed contributor's employment has not been terminated, a day shall not be treated as a day of unemployment if it is a day of recognised or customary holiday in connection with that employment, unless that person's employment therein has been indefinitely suspended and the day in question is the seventh or a later day, ascertained in accordance with the provisions of section 20(1)(*b*) of the Act, as substituted by section 3(1) of the 1966 Act, in a continuous period of days on which that suspension has lasted.

(i) For the purposes of the provisions of this sub-paragraph and of section 20(1)(*b*)(ii) of the Act, as substituted by section 3(1) of the 1966 Act, where a person is engaged in Great Britain under a contract of service (hereafter in this head of this sub-paragraph referred to as "the subsisting contract"), any day of recognised or customary holiday in connection with his employment under the subsisting contract (hereafter in this head of this sub-paragraph referred to as "the relevant day"), which occurs during the currency of that contract shall not be deemed to be such a day of holiday if, in the period beginning on the 1st March next preceding the relevant day and ending immediately before the relevant day, the number of days of recognised or customary holiday which he has had in connection with any employment in which he has been engaged in Great Britain under a contract of service equals or exceeds the number of days of recognised or customary holiday in connection with his employment under the subsisting contract in the period of twelve months beginning on the first day of his employment under the subsisting contract or on the 1st March next preceding the relevant day, whichever is the later.

(ii) In computing any number of days of recognised or customary holiday for the purpose of the application of the provisions of head (i) of this sub-paragraph in relation to any person, there shall be disregarded any day for which he has been paid unemployment benefit and any day which is a Bank holiday or other public holiday applying in his case, or any other day of holiday granted in lieu thereof.

(2) Paragraph 1(*f*) of this regulation (full normal extent rule) shall not apply to a person unless—

(*a*) there is a recognised or customary working week in connection with his employment; or

(*b*) he regularly works for the same number of days in a week for the same employer or group of employers.

Persons deemed to be available for employment in an employed contributor's employment

8. Notwithstanding the provisions of regulation 7(1)(*i*), an insured person engaged in—

(*a*) the manning or launching of a lifeboat; or

(*b*) the performance of duty as a part-time fireman in a fire brigade maintained in pursuance of the Fire Services Acts 1947 to 1959;

shall be deemed to be available for employment in an employed contributor's employment, and the provisions of the said regulation 7(1)(*i*) shall not apply to him.

Reckoning of periods of interruption of employment

9. For the purpose of reckoning periods of interruption of employment, but for that purpose only—

(*a*) any day in respect of which a woman is entitled to and is in receipt of maternity allowance shall (notwithstanding the provisions of regulation 7(1)(*d*)) be treated as a day of incapacity for work;

(*b*) a person shall be deemed to be available for employment in an employed contributor's employment on any such day as is referred to in regulation 7(1)(*g*) and any such day shall be treated as a day of unemployment.

Special provisions relating to delay or failure in claiming or giving notice

10.—(1) Notwithstanding anything contained in regulation 7(1), a person who, in respect of any period of interruption of employment, would have been entitled to unemployment or sickness benefit for any day but for any delay or failure to make or prosecute a claim or give a notice, shall, for the purposes of section 21 of the Act (exhaustion of and requalification for benefit) but subject to the proviso to subsection (4) of that section, be treated as having been entitled to benefit for that day.

(2) For the purposes of section 2(3) of the 1966 Act (period of entitlement to earnings-related supplement), a person shall be treated as having been entitled to unemployment benefit or sickness benefit for any day if he would have been so entitled but for any delay or failure to make or prosecute a claim or give a notice, so, however, that he shall not be so treated where he shows that he did not intend. by failing to acquire or establish a right to benefit for that day, to cause a new period of interruption of employment to begin for the purposes of earnings-related supplement.

Disqualifications for sickness benefit

11.—(1) A person shall be disqualified for receiving sickness benefit for such period not exceeding six weeks as may be determined in the manner provided by Part IV of the Act if—

(*a*) he has become incapable of work through his own misconduct, except that this disqualification shall not apply where the incapacity is due to venereal disease or, in the case of a woman who is not a wife, or, being a wife, is separated from her husband, to pregnancy; or

(*b*) he fails without good cause to comply with a notice in writing given by the Minister requiring him to attend for and to submit himself to medical or other examination on a date not earlier than the third day after the day on which the notice was sent and at a time and place specified in that notice; or

(*c*) he fails without good cause to attend for, or to submit himself to, medical or other treatment: provided that this disqualification shall not apply to any failure to attend for or to submit to vaccination or

inoculation of any kind or to a surgical operation, unless the failure is a failure to attend for or to submit to a surgical operation of a minor character, and is considered by the determining authority to be unreasonable; or

(*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 regulation 7(1)(*h*) of these regulations.

(2) In computing the period of notice required to be given by paragraph 1(*b*) of this regulation Sunday shall not be disregarded.

Increase of benefit for dependent relative and further conditions applicable

12.—(1) For the purposes of section 43(2)(*b*) of the Act (increase of unemployment benefit or sickness benefit for any period during which the beneficiary has residing with him and is wholly or mainly maintaining such relative other than the husband or wife of the beneficiary as may be prescribed, being a relative in relation to whom such further conditions as may be prescribed are fulfilled), the relatives shall be the persons who bear any such relationship to the beneficiary as is specified in Schedule I to these regulations, and shall not include any person who is a child, but shall include any person who is any such relative by adoption and any person who would be such a relative if some person born illegitimate had been born legitimate.

(2) The following further conditions shall apply in relation to any such relative as is mentioned in the foregoing paragraph:—

(*a*) A beneficiary shall not be entitled to an increase of benefit under the said section 43(2)(*b*) in respect of any such relative for any period during which that relative—

(i) is undergoing imprisonment or detention in legal custody; or

(ii) (if a woman) is engaged in any gainful occupation or occupations from which her weekly earnings (calculated or estimated in such manner and on such basis as is prescribed for the purposes of section 43(1) of the Act (increase of benefit for a wife)) exceed the amount specified in column 6 of Schedule 3 to the Act in relation to an increase of the benefit in question of an adult dependant.

(*b*) Where any such relative is a man, the increase shall not be payable for any period other than a period during which he is incapable of self-support.

(*c*) Where any such relative is a married woman, the increase shall not be payable for any period other than a period during which—

(i) she is not residing with and is unable to obtain any financial assistance from her husband; or

(ii) her husband is incapable of self-support.

(*d*) The increase shall not be payable for any period during which any such relative is absent from Great Britain, except in the case of sickness

benefit for any period during which that relative is residing with the beneficiary outside Great Britain and for which, by virtue of the provisions of regulation 7 of the National Insurance (Residence and Persons Abroad) Regulations 1948(a) as amended (b), the beneficiary is not disqualified for receiving that benefit.

Partial satisfaction of contribution conditions and reduced rates of benefit

13.—(1) Where a person would be entitled to unemployment or sickness benefit but for the fact that the relevant contribution conditions are not satisfied as respects the number of contributions paid or credited in respect of the relevant contribution year, he shall nevertheless be entitled to benefit in accordance with the next succeeding paragraph, if not less than twenty-six contributions of the appropriate class or their equivalent have been paid or credited in respect of the relevant contribution year.

(2) Where the full weekly rate of benefit or increase of benefit for an adult dependant under Schedule 3 of the Act is at one of the rates set out at the head of columns (2), (3), (4) and (5) of Schedule 2 to these regulations, then benefit or increase of benefit for an adult dependant shall be payable at the reduced rate specified in the appropriate column of Schedule 2 to these regulations which corresponds with the number of contributions paid or credited in the relevant contribution year as shown in column (1) of that Schedule.

(3) For the purposes of this regulation, the expression "the relevant contribution year" means the last complete contribution year before the beginning of the benefit year which includes the day for which benefit is claimed.

Increase of unemployment and sickness benefit for persons over pensionable age

14. Where, by virtue of the provisions of section 19(3)–(5) of the Act (unemployment and sickness benefit for persons over pensionable age) a person who is over pensionable age is entitled to unemployment or sickness benefit in respect of any day for which he would have been entitled to a retirement pension only by virtue of section 45 of the Act (partial satisfaction of contribution conditions) the weekly rate of any increase of the said unemployment or sickness benefit under section 40(1) of the Act (increase of benefit for children) or under section 43(1) or (2)(*c*) of the Act (increase of benefit for adult dependants) shall be that at which that increase would have been payable if the benefit to be increased had been the retirement pension to which that person would have been so entitled.

Temporary and transitional provisions and revocations

15.—(1) The provisions set out in regulation 6(4) of, and in Schedule 3 to, these regulations (provisions made temporary by and transitional provisions consequent upon the 1966 Act) shall have effect up to and including 9th March 1969 and shall be revoked with effect from 10th March 1969, provided that they shall continue to apply in relation to a claim made after 9th March 1969 if and in so far as that claim relates to any day before 10th March 1969.

(2) The regulations specified in Schedule 4 column 1 of these regulations are hereby revoked to the extent mentioned in column 3 of that Schedule.

(a) S.I. 1948/1275 (Rev. XVI, p. 88: 1948 I, p. 2864).
(b) The relevant amending instrument is S.I. 1958/1084 (1958 II, p. 1581).

(3) Anything whatsoever done under or by virtue of any regulation revoked by these regulations shall be deemed to have been done under or by virtue of the corresponding provision of these regulations, and anything whatsoever begun under any such regulation may be continued under these regulations as if begun under these regulations.

(4) So much of any document as refers expressly or by implication to any regulation revoked by these regulations shall, if and so far as the context permits, be construed as referring to the corresponding provision of these regulations.

(5) Nothing in paragraphs (1)–(4) of this regulation shall be taken as affecting the general application by regulation 1(4) of these regulations of the rules for the construction of Acts of Parliament contained in section 38 of the Interpretation Act 1889 (effect of repeal) with regard to the effect of revocations.

Given under the official seal of the National Insurance Joint Authority.

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

(L.S.)

28th February 1967.

Margaret Herbison,
Minister of Social Security.

1st March 1967.

Joseph Harper,
Harry Gourlay,
Two of the Lords Commissioners
of Her Majesty's Treasury.

2nd March 1967.

SCHEDULE 1

Regulation 12(1)

PRESCRIBED RELATIONSHIPS

(*a*) Lineal descendant or ascendant in a direct line, and

(*b*) Stepfather, stepmother, stepson, stepdaughter, brother, sister, half-brother, half-sister, stepbrother, stepsister, and

(*c*) Where the beneficiary is a man, the father or mother of any woman who is, or was at her death, the wife of the beneficiary, and

(*d*) Where the beneficiary is a woman, the father or mother of any man who is, or was at his death, the husband of the beneficiary.

SCHEDULE 2

Regulation 13(2)

SHOWING REDUCED RATES OF UNEMPLOYMENT AND SICKNESS BENEFIT AND OF INCREASE OF BENEFIT IN RESPECT OF ADULT DEPENDANTS

(1)	(2)	(3)	(4)	(5)
Number of contributions paid or credited in the relevant contribution year	Full weekly rate of benefit applicable under Schedule 3 to the Act			
	s. d.	s. d.	s. d.	s. d.
	80 0	55 0	50 0	45 6
	Reduced rate at which benefit is payable			
48–49	77 6	54 0	48 6	44 0
46–47	74 6	52 6	46 6	42 6
43–45	71 0	49 6	44 0	40 6
40–42	64 6	46 0	41 0	37 6
37–39	58 6	41 6	38 6	34 6
34–36	52 0	37 0	34 6	32 0
30–33	46 0	33 0	30 0	28 0
26–29	40 0	27 6	25 0	23 0

SCHEDULE 3

Regulation (15)1

Modifications of Normal Idle Day Rule

1.—(1) For the purposes only of section 20(1)(*b*) of the Act as originally enacted (normal idle day rule) and subject to paragraph 2 of this Schedule the following provisions of this paragraph shall apply.

(2) Where a person is employed in an employed contributor's employment which has not been terminated but has been indefinitely suspended, that employment shall be treated as if it had been terminated on the date on which it was suspended if the period of the suspension consists of not less than 6 consecutive days in a continuous period of days on which the suspension has lasted ascertained in accordance with the provisions of section 20(1)(*b*) of the Act as substituted by section 3(1) of the 1966 Act.

(3) Where, in any week, a person is employed in an employed contributor's employment which has not been terminated, if—

(*a*) in relation to that person, that employment is casual employment; or

(*b*) in the normal course, that person would not work for the employer by whom he is employed in that employment; or

(*c*) it has been treated as having been terminated for the purpose of section 20(1)(*b*) of the Act as substituted by section 3(1) of the 1966 Act; or

(*d*) in the application of section 20(1)(*b*) of the Act as originally enacted to that week, account falls to be taken, in determining the person's normal course of work, of any period of short-time working due to adverse industrial conditions;

that employment shall be treated, as respects that week, as if it had been terminated immediately after its commencement.

(4) If, as respects any day, a person satisfies the following conditions, that is to say—

(*a*) in the normal course, he would work on that day in an employed contributor's employment which has not been, and does not fall to be treated as if it had been, terminated but has been suspended; and

(*b*) on that day, he works either—

(i) in some other employed contributor's employment which, by virtue of sub-paragraphs (*a*), (*b*) or (*c*) of the last foregoing paragraph, falls, or (if it had not been terminated) would fall, to be treated, as respects the week in which that day occurs, as if it had been terminated; or

(ii) in an employment which, if it were an employed contributor's employment, would be such an employment as is described in head (i) of this sub-paragraph;

that day shall be treated as a day of interruption of employment if, but for his having so worked on that day, it would have been so treated.

(5) In this paragraph, the expression "week" means a period of seven days commencing with the midnight between Saturday and Sunday.

2.—(1) A day shall not be treated as a day of unemployment for the purposes of unemployment benefit and sickness benefit if—

(*a*) were no account taken, in determining a person's normal course of work, of any period of short-time working due to adverse industrial conditions, it would have been treated as not being a day of unemployment by virtue of the provisions of section 20(1)(*b*) of the Act as originally enacted (normal idle day rule); but

(*b*) it is excluded from the operation of that section by the provisions of paragraph 1(3)(*d*) of this Schedule.

(2) For the purposes of section 20(1)(*b*) of the Act as originally enacted, the employment of a person shall be treated as if it had been terminated immediately after its commencement, unless—

(*a*) there is a recognised or customary working week in connection with his employment; or

(*b*) he regularly works for the same number of days in a week for the same employer or group of employers.

Calculation of period of interruption of employment under section 20(1)(*d*) *of the Act for purposes of earnings-related supplement*

3. In reckoning periods of interruption of employment for the purposes of earnings-related supplement under section 2(2) of the 1966 Act, but for those purposes only, a day which is not treated in relation to any person as a day of interruption of employment by reason only of the provisions of section 20(1)(*b*) of the Act, as substituted by section 3(1) of the 1966 Act, shall be treated as a day of interruption of employment.

SCHEDULE 4

Regulation 3(2)

REGULATIONS REVOKED

Citation	Statutory Instrument	Extent of Revocation
The National Insurance (Unemployment and Sickness Benefit) Regulations 1948.	S.I. 1948/1277 (Rev. XVI, p. 212: 1948 I, p. 2676).	The whole of the regulations.
The National Insurance (Unemployment and Sickness Benefit) Amendment Regulations 1949.	S.I. 1949/1391 (1949 I, p. 2698).	The whole of the regulations.
The National Insurance (Unemployment and Sickness Benefit) Amendment (No. 2) Regulations 1949.	S.I. 1949/1983 (1949 I, p. 2700).	The whole of the regulations.
The National Insurance (Unemployment and Sickness Benefit) Amendment Regulations 1954.	S.I. 1954/117 (1954 I, p. 1405).	The whole of the regulations.
The National Insurance (Maternity Benefit and Miscellaneous Provisions) Regulations 1954.	S.I. 1954/189 (1954 I, p. 1387).	The entry in the Second Schedule under the heading "The National Insurance (Unemployment and Sickness Benefit) Regulations 1948".

Citation	Statutory Instrument	Extent of Revocation
The National Insurance (Unemployment and Sickness Benefit) Amendment Regulations 1955.	S.I. 1955/143 (1955 I, p. 1627).	The whole of the regulations.
The National Insurance (Unemployment and Sickness Benefit) Amendment Regulations 1956.	S.I. 1956/227 (1956 I, p. 1623).	The whole of the regulations.
The National Insurance (Unemployment and Sickness Benefit) Amendment Regulations 1957.	S.I. 1957/1319 (1957 I, p. 1607).	The whole of the regulations.
The National Insurance (Unemployment and Sickness Benefit) Amendment (No. 2) Regulations 1957.	S.I. 1957/1870 (1957 I, p. 1611).	The whole of the regulations.
The National Insurance (Unemployment and Sickness Benefit) Amendment Regulations 1959.	S.I. 1959/686 (1959 II, p. 1877).	The whole of the regulations.
The National Insurance (Unemployment and Sickness Benefit) Amendment (No. 2) Regulations 1959.	S.I. 1959/1278 (1959 II, p. 1879).	The whole of the regulations.
The National Insurance (Unemployment and Sickness Benefit) Amendment Regulations 1960.	S.I. 1960/781 (1960 II, p. 2203).	The whole of the regulations.
The National Insurance (Graduated Contributions and Non-participating Employments, Miscellaneous Provisions) Regulations 1960.	S.I. 1960/1210 (1960 II, p. 2234).	The entry in the Schedule under the heading "The National Insurance (Unemployment and Sickness Benefit) Regulations 1948".
The National Insurance (Unemployment and Sickness Benefit) Amendment (No. 2) Regulations 1960.	S.I. 1960/1286 (1960 II, p. 2205).	The whole of the regulations.
The National Insurance (Increase of Benefit and Miscellaneous Provisions) Regulations 1963.	S.I. 1963/394 (1963 I, p. 424).	Regulation 22.
The National Insurance (Unemployment and Sickness Benefit) Amendment Regulations 1964.	S.I. 1964/1112 (1964 II, p. 2477).	The whole of the regulations.
The National Insurance (Increase of Benefit and Miscellaneous Provisions) Regulations 1965.	S.I. 1965/40 (1965 I, p. 47).	Schedule B and Schedule L paragraph 8.
The National Insurance (Unemployment and Sickness Benefit) Amendment Regulations 1966.	S.I. 1966/1049 (1966 II, p. 2571).	The whole of the regulations.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations consolidate the National Insurance (Unemployment and Sickness Benefit) Regulations 1948 with subsequent amending Regulations. They are made for the purpose only of consolidation and accordingly, by virtue of section 108 of the National Insurance Act 1965, have not been referred to the National Insurance Advisory Committee.

The Regulations contain various provisions relating to the payment of unemployment and sickness benefit. The principal matters dealt with are the counting of contributions (other than those of the appropriate class) for the purposes of unemployment and sickness benefit; the deeming of persons to be incapable of work; the substitution of another day for Sunday as the day of the week to be disregarded; the position of nightworkers; suspension of employment; days which are or are not to be treated as days of unemployment or incapacity for work; the position of lifeboatmen and part-time firemen; failure to claim unemployment or sickness benefit in order to avoid exhausting the right thereto and the need to requalify therefor; disqualifications for sickness benefit; increase of benefit for dependent relatives; reduced rates of benefit where the contribution conditions are only partially satisfied; and miscellaneous temporary provisions relating to earnings-related supplement and modification of the normal idle day rule.