STATUTORY INSTRUMENTS

1976 No. 495

COAL INDUSTRY

The Redundant Mineworkers and Concessionary Coal (Payments Schemes) (Amendment) Order 1976

Laid before Parliament in draft

Made - - - - 26*th March* 1976

Coming into Operation 27*th March* 1976

The Secretary of State, in exercise of the powers conferred by section 3(1) and (3) of the Coal Industry Act 1967(**a**) as amended by section 2(1) of the Coal Industry Act 1971(**b**) and section 4 of the Coal Industry Act 1973(**c**) and as extended by the Coal Industry (Redundancy Payments Schemes) (Extension) Order 1976(**d**) and now vested in him(**e**) and all other powers enabling him in that behalf, hereby makes the following Order, a draft of which has been laid before Parliament and has been approved by a resolution of each House of Parliament in accordance with section 3(4) of the Coal Industry Act 1967.

1. This Order may be cited as the Redundant Mineworkers and Concessionary Coal (Payments Schemes) (Amendment) Order 1976 and shall come into operation on 27th March 1976.

2.—(1) In this Order—

"the 1972 Order" means the Redundant Mineworkers (Payments Scheme) Order 1972(**f**) as varied(**g**); and

"the 1973 Order" means the Redundant Mineworkers and Concessionary Coal (Payments Schemes) Order 1973(**g**) as varied(**h**).

(2) The Interpretation Act 1889(**i**) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

3. The 1972 Order and the 1973 Order shall be further varied as follows—

(*a*) For the definitions of the following expressions in Article 1 of the Schedule to the 1972 Order and Article 1 of the Schedule to the 1973 Order there shall be substituted the following definitions—

"disablement pension" means a disablement pension under section 57 of the Social Security Act 1975(**j**);

"earnings related supplement" means an increase of unemployment or sickness benefit under section 14(7) of the Social Security Act 1975;

(a) 1967 c.91. (b) 1971 c.16. (c) 1973 c.8. (d) S.I. 1976/491 (1976 I, p. 1449).
(e) S.I. 1969/1948, 1970/1537 (1969 III, p. 4797; 1970 III, p. 5293).
(f) S.I. 1972/335 (1972 I, p. 1373). (g) S.I. 1973/1268 (1973 II, p. 3800).
(h) S.I. 1975/545 (1975 I, p. 1800). (i) 1889 c. 63. (j) 1975 c. 14.

"industrial disease" means any disease or personal injury for the time being prescribed under section 76 of the Social Security Act 1975;

"injury benefit" means injury benefit under section 56 of the Social Security Act 1975;

"sickness benefit" means sickness benefit under section 14 of the Social Security Act 1975;

"self-employed" means a self-employed earner for the purposes of section 2(1)(*b*) of the Social Security Act 1975;

"special hardship allowance" means an increase of disablement pension under section 60 of the Social Security Act 1975;

"supplementary allowance" means supplementary allowance under section 4 of the Supplementary Benefit Act 1966(**a**);

"the Supplementary Benefits Commission" means the Commission established with that name by section 3 of the Supplementary Benefit Act 1966;

"supplementary pension" means supplementary pension under section 4 of the Supplementary Benefit Act 1966;

"unemployment benefit" means unemployment benefit under section 14 of the Social Security Act 1975.

(*b*) For the definitions of "invalidity benefit" and "invalidity pension" in Article 1 of the Schedule to the 1972 Order and Article 1 of the Schedule to the 1973 Order there shall be substituted the following definition—

"invalidity pension" means invalidity pension under section 15 of the Social Security Act 1975;

(*c*) In the Schedule to the 1972 Order—

(i) In Article 6(1) there shall be substituted for the words "sickness, invalidity or injury benefit" in sub-paragraphs (i) and (ii) the words "sickness or injury benefit or invalidity pension"; and in sub-paragraph (iii)(*g*) there shall be substituted for the words "invalidity benefit" the words "invalidity pension".

(ii) In Article 7(2) there shall be substituted for the words "invalidity benefit" the words "invalidity pension"; and in sub-paragraph (*a*) there shall be substituted for the reference to section 50 of the National Insurance Act 1965 a reference to section 85 of the Social Security Act 1975.

(*d*) In the Schedule to the 1973 Order—

(i) In Article 3(*b*) there shall be substituted for the date "28th March 1976" the date "26th March 1978".

(ii) In Article 5—

(*a*) the word "and" at the end of sub-paragraph (1)(*b*) shall be deleted;

(*b*) in sub-paragraph (1)(*c*) there shall be substituted for the words "on or after 6th April 1975" the words "after 5th April 1975 and before 6th April 1976"; and the word "and" shall be inserted at the end of that sub-paragraph;

(a) 1966 c. 20.

(*c*) there shall be inserted after sub-paragraph (1)(*c*) the following sub-paragraph—

"(*d*) whose relevant date fell on or after 6th April 1976 the weekly sum specified in Part 4 of Appendix 4 opposite the amounts specified in column 1 thereof appropriate to the amount of that employee's pre-redundancy earnings.".

(iii) In Article 6—

(*a*) in paragraph (1) there shall be substituted for the words "sickness, invalidity or injury benefit" in sub-paragraphs (i) and (ii) the words "sickness or injury benefit or invalidity pension" and in sub-paragraph (iii)(*g*) there shall be substituted for the words "invalidity benefit" the words "invalidity pension";

(*b*) there shall be substituted for paragraph (4) the following paragraph—

"(4) The weekly sum payable by virtue of Article 5(1)(*d*) in respect of a week commencing on or after 6th April 1977 to a coal industry employee whose relevant date falls on or after 6th April 1977 shall be reduced by an amount equal to any increase in the amount of unemployment benefit for a man over the age of 18 with one adult dependant which may have been made during the twelve months immediately preceding 6th April 1977.";

(*c*) there shall be substituted for paragraph (5) (as substituted by Article 2(*b*) of the Redundant Mineworkers and Concessionary Coal (Payments Schemes) (Amendment) Order 1975) the following paragraph—

"(5) Where a coal industry employee makes an election under Article 5(4) and the date substituted for the relevant date by virtue of that election falls on or after 6th April 1977, the weekly sum referred to in Article 5(1)(*d*) shall be reduced by an amount equal to any increase in the amount of unemployment benefit for a man over the age of 18 with one adult dependant which may have been made during the period commencing on 6th April 1976 and ending on 5th April which immediately precedes the date substituted for the relevant date by virtue of the said election."

(iv) In Article 7(2) there shall be substituted for the words "invalidity benefit" the words "invalidity pension"; and in sub-paragraph (*a*) there shall be substituted for the reference to section 50 of the National Insurance Act 1965 a reference to section 85 of the Social Security Act 1975.

(v) In Article 7(5) there shall be substituted for the words "invalidity benefit" the words "invalidity pension".

(vi) In Article 9(1)(*b*) there shall be substituted for the date "29th March 1986" the date "26th March 1988".

(vii) In Article 15 there shall be substituted for the date "28th March 1976" in sub-paragraph (ii) of the proviso to paragraph (3) the date "26th March 1978".

(viii) There shall be inserted after Part 3 of Appendix 4 the Table set out in the Schedule to this Order.

Alexander Eadie,
Parliamentary Under Secretary of State
Department of Energy.

26th March 1976.

SCHEDULE

APPENDIX 4 Article 5(1)(*d*)

PART 4

TABLE OF PRE-REDUNDANCY EARNINGS AND WEEKLY PAYMENTS

COLUMN 1		COLUMN 2
Amount of pre-redundancy earnings		*Weekly sum payable under Article 5(1)(d)*
Exceeding £ p	*but not exceeding* £ p	£ p
0·00	28·25	3·00
28·25	28·50	3·05
28·50	28·75	3·18
28·75	29·00	3·32
29·00	29·25	3·45
29·25	29·50	3·59
29·50	29·75	3·72
29·75	30·00	3·85
30·00	30·25	3·99
30·25	30·50	4·12
30·50	30·75	4·25
30·75	31·00	4·39
31·00	31·25	4·52
31·25	31·50	4·66
31·50	31·75	4·79
31·75	32·00	4·92
32·00	32·25	5·06
32·25	32·50	5·19
32·50	32·75	5·32
32·75	33·00	5·46
33·00	33·25	5·59
33·25	33·50	5·72
33·50	33·75	5·85
33·75	34·00	5·99
34·00	34·25	6·12
34·25	34·50	6·25
34·50	34·75	6·39
34·75	35·00	6·52
35·00	35·25	6·66
35·25	35·50	6·80
35·50	35·75	6·93
35·75	36·00	7·06
36·00	36·25	7·19
36·25	36·50	7·33
36·50	36·75	7·46
36·75	37·00	7·59
37·00	37·25	7·73
37·25	37·50	7·86
37·50	37·75	7·99
37·75	38·00	8·13
38·00	38·25	8·26
38·25	38·50	8·39
38·50	38·75	8·52
38·75	39·00	8·66
39·00	39·25	8·80

Column 1		Column 2
Amount of pre-redundancy earnings		*Weekly sum payable under Article 5(1)(d)*
Exceeding £ p	*but not exceeding* £ p	£ p
39·25	39·50	8·93
39·50	39·75	9·07
39·75	40·00	9·20
40·00	40·25	9·33
40·25	40·50	9·46
40·50	40·75	9·60
40·75	41·00	9·73
41·00	41·25	9·86
41·25	41·50	10·00
41·50	41·75	10·13
41·75	42·00	10·26
42·00	42·25	10·40
42·25	42·50	10·53
42·50	42·75	10·66
42·75	43·00	10·80
43·00	43·25	10·94
43·25	43·50	11·07
43·50	43·75	11·20
43·75	44·00	11·34
44·00	44·25	11·47
44·25	44·50	11·60
44·50	44·75	11·74
44·75	45·00	11·87
45·00	45·25	12·00
45·25	45·50	12·13
45·50	45·75	12·27
45·75	46·00	12·40
46·00	46·25	12·53
46·25	46·50	12·67
46·50	46·75	12·80
46·75	47·00	12·94
47·00	47·25	13·07
47·25	47·50	13·21
47·50	47·75	13·34
47·75	48·00	13·47
48·00	48·25	13·61
48·25	48·50	13·74
48·50	48·75	13·87
48·75	49·00	14·01
49·00	49·25	14·14
49·25	49·50	14·27
49·50	49·75	14·40
49·75	50·00	14·54
50·00	50·25	14·67
50·25	50·50	14·80
50·50	50·75	14·94
50·75	51·00	15·08
51·00	51·25	15·21
51·25	51·50	15·35
51·50	51·75	15·48
51·75	52·00	15·61
52·00	52·25	15·74
52·25	52·50	15·88

Column 1		Column 2
Amount of pre-redundancy earnings		*Weekly sum payable under Article 5(1)(d)*
Exceeding £ p	*but not exceeding* £ p	£ p
52·50	52·75	16·01
52·75	53·00	16·14
53·00	53·25	16·28
53·25	53·50	16·41
53·50	53·75	16·54
53·75	54·00	16·68
54·00	54·25	16·81
54·25	54·50	16·94
54·50	54·75	17·07
54·75	55·00	17·22
55·00	55·25	17·35
55·25	55·50	17·48
55·50	55·75	17·62
55·75	56·00	17·75
56·00	56·25	17·88
56·25	56·50	18·01
56·50	56·75	18·15
56·75	57·00	18·28
57·00	57·25	18·41
57·25	57·50	18·55
57·50	57·75	18·68
57·75	58·00	18·81
58·00	58·25	18·95
58·25	58·50	19·08
58·50	58·75	19·21
58·75	59·00	19·35
59·00	59·25	19·49
59·25	59·50	19·62
59·50	59·75	19·75
59·75	60·00	19·89
60·00	60·25	20·02
60·25	60·50	20·15
60·50	60·75	20·29
60·75	61·00	20·42
61·00	61·25	20·55
61·25	61·50	20·68
61·50	61·75	20·82
61·75	62·00	20·95
62·00	62·25	21·08
62·25	62·50	21·22
62·50	62·75	21·35
62·75	63·00	21·49
63·00	63·25	21·62
63·25	63·50	21·76
63·50	63·75	21·89
63·75	64·00	22·02
64·00	64·25	22·16
64·25	64·50	22·29
64·50	64·75	22·42
64·75	65·00	22·56
65·00	65·25	22·69
65·25	65·50	22·82
65·50	65·75	22·95

Column 1		Column 2
Amount of pre-redundancy earnings		*Weekly sum payable under Article 5(1)(d)*
Exceeding £ p	*but not exceeding* £ p	£ p
65·75	66·00	23·09
66·00	66·25	23·22
66·25	66·50	23·35
66·50	66·75	23·49
66·75	67·00	23·63
67·00	67·25	23·76
67·25	67·50	23·90
67·50	67·75	24·03
67·75	68·00	24·16
68·00	68·25	24·29
68·25	68·50	24·43
68·50	68·75	24·56
68·75	69·00	24·69
69·00	69·25	24·84
69·25	69·50	24·99
69·50	69·75	25·13
69·75	70·00	25·28
70·00 and over		25·42

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order makes the following further changes in the Redundant Mineworkers Payments Scheme scheduled to the Redundant Mineworkers (Payments Scheme) Order 1972 and in the Redundant Mineworkers Payments Scheme and the Concessionary Coal Payments Scheme scheduled to the Redundant Mineworkers and Concessionary Coal (Payments Schemes) Order 1973:—

(*a*) Certain definitions in both Orders are amended so as to refer to the appropriate provisions of the Social Security Act 1975 which has consolidated the statutes previously referred to, and references to invalidity benefit are replaced by references to invalidity pension.

(*b*) The 1973 Schemes are extended to apply to mineworkers made redundant between 27th March 1976 and 26th March 1978, and a new table of weekly benefits is added in respect of mineworkers made redundant on or after 6th April 1976.

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