STATUTORY INSTRUMENTS

1975 No. 567

SOCIAL SECURITY

The Social Security Finance (Transitional) Regulations 1975

Made - - - -	*3rd April* 1975
Laid before Parliament	*4th April* 1975
Coming into Operation	*6th April* 1975

The Secretary of State for Social Services, in conjunction with the Treasury(a), in exercise of powers conferred upon her by paragraphs 7 and 9 of Schedule 3 to the Social Security (Consequential Provisions) Act 1975(b) and of all other powers enabling her in that behalf, hereby makes the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Social Security Finance (Transitional) Regulations 1975, and shall come into operation on 6th April 1975.

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

"the Act" means the Social Security Act 1975(c);

"the Health Service Contributions Act" means the National Health Service Contributions Act 1965(d);

"the Insurance Act" means the National Insurance Act 1965(e);

"the Industrial Injuries Act" means the National Insurance (Industrial Injuries) Act 1965(f);

"the Redundancy Payments Act" means the Redundancy Payments Act 1965(g);

"the 1971 Act" means the National Insurance Act 1971(h);

"the Acts" means the Health Service Contributions Act, the Insurance Act, the Industrial Injuries Act, the Redundancy Payments Act and the 1971 Act;

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

(3) Any reference in these regulations to any provision made by or contained in any enactment or instrument shall, except in so far as the context otherwise requires, be construed as a reference to that provision as amended or extended by any enactment or instrument and as including a reference to any provision which it re-enacts or replaces, or which may re-enact or replace it, with or without modification.

(4) The rules for the construction of Acts of Parliament contained in the

(a) *See* Section 166(5) of the Social Security Act 1975.
(b) 1975 c. 18.
(c) 1975 c. 14.
(d) 1965 c. 54.
(e) 1965 c. 51.
(f) 1965 c. 52.
(g) 1965 c. 62.
(h) 1971 c. 50.

Interpretation Act 1889(a) shall apply for the purposes of the interpretation of these regulations as they apply for the purposes of the interpretation of an Act of Parliament.

Continuance in force of certain provisions of the Acts

2. For the purposes of facilitating the winding up of the system of insurance under the Insurance Act and the disposal of matters connected with that system, and of temporarily retaining for transitional purposes the effect of certain provisions which are repealed by section 100(2) of and Schedule 28 to the Social Security Act 1973(b) there shall continue in force the provisions of the Acts specified in the following provisions of these regulations, subject to the modifications therein specified.

Continuance and modification of sections of the Insurance Act

3.—(1) Sections 7 (Exchequer supplements), 15(4) (Inland Revenue to account to the Secretary of State for sums received by way of graduated contributions), 83(1)(*a*) (payment of contributions into National Insurance Fund), 83(1)(*b*)(i) and (ii) (payments out of the National Insurance Fund), and 85(3) and (8) (expenses of Ministers of the Crown) of, and paragraph 19(*b*) of Schedule 11 (special saving of section 67 of National Insurance Act 1946(c) to the Insurance Act shall continue in force.

(2) Section 7 of the Insurance Act shall be modified so that there shall be payable out of moneys provided by Parliament a supplement of 18 per cent. on all contributions (including graduated contributions) payable under the Insurance Act received after 31st March 1975; so however that this modification shall not have effect for the purpose of any adjustment made after 31st March 1975 of the amount of such supplement payable in respect of contributions received before 1st April 1975.

Continuance and modification of sections of the Industrial Injuries Act

4.—(1) Sections 2(1)(*b*) (Exchequer supplement) and 59(1)(*a*) as amended by section 94(7) of the Social Security Act 1973 (payment of contributions into the National Insurance Fund) of the Industrial Injuries Act shall continue in force.

(2) Section 2(1)(*b*) of the Industrial Injuries Act shall be modified so that there shall be paid out of moneys provided by Parliament a sum equal to 18 per cent, of all contributions payable under the Industrial Injuries Act which are received after 31st March 1975 so however that this modification shall not have effect for the purpose of any adjustment made after 31st March 1975 of the amount of such supplement payable in respect of contributions received before 1st April 1975.

Continuance of sections of the Health Service Contributions Act

5. Sections 1(4) (payment of contributions towards cost of health service), 2(1)—(3) and (7) (collection, etc of contributions), 3 (application of contributions), 4 (expenses) and 5 (financial adjustments with Northern Ireland and Isle of Man) of the Health Service Contributions Act shall continue in force.

Continuance of sections of the Redundancy Payments Act

6. Sections 27(6) (payment of contributions to Secretary of State), 28(1)-(3) (collection of contributions), 29 (application of contributions) and 55(6)(*b*) (expenses) of the Redundancy Payments Act shall continue in force.

(a) 1889 c. 63. (b) 1973 c. 38. (c) 1946 c. 67.

Continuance of sections of the 1971 *Act*

7. Sections 13(1) and (2) of the 1971 Act (payment of certain non-contributory benefits) shall continue in force.

Return of National Health Service or Redundancy Fund contributions paid in error

8. Where any national health service or redundancy fund contribution which has been paid in error falls to be repaid by virtue of the provisions of regulation 20 of the National Insurance (Contributions) Regulations 1969(a) (which regulation is continued in force by regulation 124(2) of and Part II of Schedule 7 to the Social Security (Contributions) Regulations 1975(b)), the cost of such repayment shall be met by—

(*a*) set-off against any national health service or (as the case may be) redundancy fund contributions received after 31st March 1975, and

(*b*) to the extent that the aggregate amount of such repayments exceeds the aggregate amount of such contributions, by set-off against the national health service or (as the case may be) redundancy fund allocations made under section 134 of the Act.

Signed by authority of the Secretary of State for Social Services,

D. A. L. Owen,
Minister of State,
Department of Health and Social Security.

1st April 1975.

James A. Dunn,
M. Cocks,
Two of the Lords Commissioners
of Her Majesty's Treasury.

3rd April 1975.

EXPLANATORY NOTE

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

These Regulations make provision for transitional financial matters arising out of repeal or partial repeal of the National Insurance Act 1965, the National Insurance (Industrial Injuries) Act 1965, the National Health Service Contributions Act 1965, the Redundancy Payments Act 1965 and the National Insurance Act 1971. Provision is made for the continuance in force, subject in some cases to modifications, of certain sections of those Acts. In particular provision is made for the disposal of contributions payable under those Acts which are received after 31st March 1975; for Exchequer supplement on those contributions; for payments made after 31st March 1975 in respect of a period before 1st April 1975, and for related matters.

(a) S.I. 1969/1696 (1969 III, p. 5323). (b) S.I. 1975/492 (1975 I, p. 1516).

SI 1975/567
ISBN 0-11-050567-0

