STATUTORY INSTRUMENTS

1975 No. 1748

SOCIAL SECURITY

The Social Security (Graduated Retirement Benefit) (No. 2) Regulations 1975

Made - - -	*28th October* 1975
Laid before Parliament	*30th October* 1975
Coming into Operation	*20th November* 1975

The Secretary of State for Social Services, in exercise of the powers conferred on her by section 36(7) of the National Insurance Act 1965(**a**) as continued in force by regulation 2(2) of the Social Security (Graduated Retirement Benefit) Regulations 1975(**b**) and of all other powers enabling her in that behalf, without having referred any proposals on the matter to the National Insurance Advisory Committee since it appears to her that by reason of urgency it is inexpedient to to do so, hereby makes the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Social Security (Graduated Retirement Benefit) (No. 2) Regulations 1975 and shall come into operation on 20th November 1975.

(2) Any reference in these regulations to any provision made by or contained in any enactment or instrument shall, except so far as the context otherwise requires, be construed as a reference to that provision as amended or extended by any enactment or instrument.

(3) The rules for the construction of Acts of Parliament contained in the Interpretation Act 1889(**c**) shall apply in relation to this instrument as if this instrument were an Act of Parliament.

Amendment of regulation as to single payments of graduated retirement benefit

2. Regulation 2(3) of the National Insurance (Graduated Retirement Benefit and Consequential Provisions) Regulations 1961(**d**), which has effect as set out in Schedule 2 to the Social Security (Graduated Retirement Benefit) Regulations 1975, shall be amended by the insertion, after the words " Category C or D retirement pension ", of the words " or a non-contributory invalidity pension ", and shall accordingly have effect as set out in the Schedule to these regulations.

Barbara Castle,
Secretary of State for Social Services.

28th October 1975.

(**a**) 1965 c. 51. (**b**) S.I. 1975/557 (1975 I, p.1949). (**c**) 1889 c. 63.
(**d**) S.I. 1961/557 (1961 I, p.1228).

Regulation 2

THE SCHEDULE

REGULATION 2(3) OF THE NATIONAL INSURANCE (GRADUATED RETIREMENT BENEFIT AND CONSEQUENTIAL PROVISIONS) REGULATIONS 1961 AS AMENDED BY THESE REGULATIONS (a)

(3) The provisions of this regulation shall not apply to a person unless he does not satisfy the conditions for entitlement to a Category C or D retirement pension *or a non-contributory invalidity pension* and does not satisfy or partially satisfy the contribution conditions for a Category A or B retirement pension and also, in the case of a married woman, her husband is over pensionable age and does not satisfy (or, as the case may be, partially satisfy) any of those conditions.

(a) The words added by these regulations are shown in italics.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations make a further amendment of the National Insurance (Graduated Retirement Benefit and Consequential Provisions) Regulations 1961, as continued in force by the Social Security (Graduated Retirement Benefit) Regulations 1975, so that a single payment in satisfaction of a right to graduated retirement benefit may not be made in the case of a person who satisfies the conditions for entitlement to a non-contributory invalidity pension.

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