STATUTORY INSTRUMENTS

1979 No. 934

SOCIAL SECURITY

The Social Security (Unemployment, Sickness and Invalidity Benefit) Amendment Regulations 1979

Laid before Parliament in draft

Made - - - -	27*th July* 1979
Coming into Operation	27*th July* 1979

(Whereas a draft of the following regulations was laid before Parliament and approved by a resolution of each House of Parliament):

Now, therefore, the Secretary of State for Social Services, in exercise of the powers conferred on him by section 20(3) of the Social Security Act 1975**(a)**, being satisfied that such exercise is, having regard to special circumstances, necessary for the purpose of preventing inequalities, or injustice to the general body of employed earners, and of all other powers enabling him in that behalf, after reference to the National Insurance Advisory Committee, hereby makes the following regulations:—

Citation, interpretation and commencement

1.—(1) These regulations may be cited as the Social Security (Unemployment, Sickness and Invalidity Benefit) Amendment Regulations 1979 and shall come into operation upon the day on which they are made.

(2) In these regulations "the principal regulations" means the Social Security (Unemployment, Sickness and Invalidity Benefit) Regulations 1975**(b)**.

Insertion into the principal regulations of regulation 20

2. After regulation 19 of the principal regulations there shall be inserted the following regulation:—

"*Additional condition with respect to the receipt of unemployment benefit by students*"

20.—(1) Persons following a course of full-time education at an establishment recognised by the Secretary of State as being, or as comparable to, a university, college or school shall be a prescribed category of persons in respect of whom, under section 20(3) (additional conditions with respect to receipt of benefit), an additional condition is imposed with respect to the receipt by them of unemployment benefit.

(2) Subject to the following paragraphs, the additional condition referred to in paragraph (1) shall be that any person to whom this regulation applies (hereafter referred to as a "student") must have actually paid (except in a case to which paragraph (3) or paragraph (4) applies), in respect of either

(a) 1975 c. 14.
(b) S.I. 1975/564, to which there are no amendments relevant to these regulations.

of the last two complete tax years immediately preceding the benefit year in which there falls the beginning of the period of interruption of employment which includes the day for which benefit is claimed (being a day in respect of which the additional condition applies), Class 1 contributions such that the earnings factor derived from them is not less than fifty times the lower earnings limit for the year in respect of which the contributions are paid.

(3) In any case where it arises that the earliest of the last two complete tax years referred to in paragraph (2) is the tax year ending in April 1975 the said additional condition shall apply so that the student must have actually paid—

(*a*) Class 1 contributions in respect of the tax year which falls after the tax year ending in April 1975 as specified in paragraph (2); or

(*b*) under the National Insurance Act 1965**(a)** not fewer than 26 contributions as an employed person in respect of any contribution weeks within the meaning of that Act.

(4) In any case where it arises that both the last two complete tax years referred to in paragraph (2) fall before the tax year ending in April 1976 the said additional condition shall apply so that the student must have actually paid contributions as specified in paragraph (3)(*b*).

(5) The said additional condition shall not apply except in respect of a day falling within the period from the beginning of the first term at the establishment referred to in paragraph (1) commencing after 31st August in any year to the end of the last term which finishes before 31st August in the next following year.

(6) Whenever a student has satisfied the said additional condition he shall not be required again to satisfy that condition with respect to the receipt by him of unemployment benefit.

(7) In this regulation "benefit year" whether, pursuant to paragraphs (2), (3) or (4), it falls in any particular case before during or after the tax year ending April 1975 means a period beginning with the first Sunday in January in any calendar year and ending with the Saturday immediately preceding the first Sunday in January in the following calendar year.".

Patrick Jenkin,
Secretary of State for Social Services.

27 July 1979.

(a) 1965 c. 51.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations further amend the Social Security (Unemployment, Sickness and Invalidity Benefit) Regulations 1975 so as to impose an additional condition with respect to the receipt of unemployment benefit by persons following a course of full-time education at an establishment recognised by the Secretary of State as being, or as comparable to, a university, college or school.

The Report of the National Insurance Advisory Committee dated 31st July 1978 on the draft of these Regulations referred to them is contained in Command Paper (Cmnd. 7613) published by Her Majesty's Stationery Office.

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