

1974. No. 17

[C]

NATIONAL INSURANCE

Classification

REGULATIONS, DATED 1ST FEBRUARY 1974, MADE BY THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, IN CONJUNCTION WITH THE DEPARTMENT OF FINANCE, UNDER THE NATIONAL INSURANCE ACT (NORTHERN IRELAND) 1966.

The Department of Health and Social Services, in conjunction with the Department of Finance so far as relates to matters with regard to which the Department of Finance has so directed, in exercise of powers conferred by sections 1(3) and 15(1) of the National Insurance Act (Northern Ireland) 1966(a), and of all other powers enabling it in that behalf, hereby makes the following regulations being regulations subject to negative resolution in accordance with section 101(3) of that Act:

Citation and commencement

1. These regulations, which may be cited as the National Insurance (Classification) Amendment Regulations (Northern Ireland) 1974, shall be read as one with the National Insurance (Classification) Regulations (Northern Ireland) 1972(b) (hereinafter referred to as "the principal regulations") and shall come into operation on 4th February 1974.

Amendment of regulation 6 of the principal regulations

2.—(1) In regulation 6 of the principal regulations (effect of regulations for the purposes of section 42 of the Act) for the words "section 42 of the Act (increase of benefit for adult dependants)" there shall be substituted the words "section 42 or section 42A of the Act (increase of benefit for adult dependants or increase of retirement pension or invalidity pension for adult dependants)".

(2) In the cross-heading to the said regulation 6 after the words "section 42" there shall be added the words "or section 42A".

Amendment of Part III of Schedule 1 to the principal regulations

3. In Part III of Schedule 1 to the principal regulations (which Part sets out in column (A) employment in respect of which persons are treated as non-employed persons and their employment therein disregarded and in column (B) the persons excepted from the operation of column (A)), paragraph 34 in column (A) and column (B) (employment, involving part-time service only, in the performance of clerical duties after 6 p.m. or outside the ordinary hours of work) is hereby revoked.

Amendment of Schedule 3 to the principal regulations

4.—(1) Schedule 3 to the principal regulations (which sets out in column (B) the persons who are to be treated as employers of persons employed in the employments specified in column (A)) shall be amended in accordance with paragraphs (2) and (3).

(a) 1966. c. 6 (N.I.).

(b) S.R. & O. (N.I.) 1972, No. 160.

(2) In paragraph 5(b) in column (B) after the words "in any other case," there shall be inserted the words "except where the employment is also one specified in paragraph 7 in column (A)."

(3) After paragraph 6 there shall be added—

(a) in column (A) the following paragraph:

"7. Employment (not being employment in respect of which an employer, in any particular case, is prescribed in paragraph 5(a) in column (B), and not being employment specified in paragraph 6 in column (A)) by a company, being a company within the meaning of the Companies Act (Northern Ireland) 1960(c) and in voluntary liquidation but carrying on business under a liquidator."; and

(b) in column (B) the following paragraph:

"7. The person who at the time of the employment holds the office of liquidator."

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland this 1st day of February 1974.

(L.S.)

C. G. Oakes,
Assistant Secretary.

Sealed with the Official Seal of the Department of Finance for Northern Ireland this 1st day of February 1974.

(L.S.)

A. J. Green,
Assistant Secretary.

EXPLANATORY NOTE

(This note is not part of the regulations, but is intended to indicate their general purport.)

These regulations amend the National Insurance (Classification) Regulations (Northern Ireland) 1972.

Regulation 2 provides for the principal regulations not to have effect for the purpose of determining any question whether or not a person is engaged in a gainful occupation which arises under section 42A of the National Insurance Act (Northern Ireland) 1966.

Regulation 3 revokes the provisions of the principal regulations for employment involving part-time service only in clerical duties after 6 p.m. or outside the ordinary hours of work to be disregarded.

Regulation 4 provides for the holder of the office of liquidator of a company in voluntary liquidation but carrying on business to be treated as the employer of persons employed by the company at the time and makes a minor amendment consequential thereto.