1972. No. 189 [NC]

NATIONAL INSURANCE AND INDUSTRIAL INJURIES

Commencement Order (Northern Ireland) 1972

ORDER, DATED 11TH AUGUST 1972, MADE BY THE SECRETARY OF STATE UNDER THE NATIONAL INSURANCE ACT 1972.

WHEREAS by paragraph 1 of Schedule 4 to the National Insurance Act 1972(**a**) (hereinafter referred to as "the Act of 1972"), as extended with adaptations to Northern Ireland, it is provided that the provisions of that Act as so extended, except section 5, shall not come into force until such date or dates as the Minister of Health and Social Services for Northern Ireland may by order appoint for those provisions or any of them:

AND WHEREAS by subsection (1)(*a*) of section 1 of the Northern Ireland (Temporary Provisions) Act 1972(**b**) it is provided that, so long as that section has effect, all functions which apart from that Act belong to any Minister of Northern Ireland shall be discharged by the Secretary of State:

NOW, THEREFORE, the Secretary of State hereby makes the following order:

1. Subject to the provisions of Article 2, the day appointed for the coming into force of any provision of the Act of 1972 specified in column 1 of the Schedule, so far as that provision relates to any subject matter specified in column 2 of that Schedule, shall be the date specified in column 3 thereof in relation to that subject matter.

2.—(1) As respects the period beginning with 2nd October 1972 and ending with 4th October 1972, the rate of a person's unemployment benefit, sickness benefit or invalidity pension for any day in that period by virtue of section 18(3) of the National Insurance Act (Northern Ireland) 1966(**c**) or Article 3(4) of the Social Services (Parity) Order (Northern Ireland) 1971(**d**) (rate of unemployment benefit, sickness benefit or invalidity pension for persons over pensionable age who have not retired from regular employment) shall be determined as if the day appointed for the coming into force of the provisions of the Act of 1972 relating to higher rates of retirement pension under the National Insurance Act (Northern Ireland) 1966 were 5th October 1972.

(2) In a case where the weekly rate of retirement pension payable to a person who has retired from regular employment falls to be increased under the provisions of Article 3(6) of the Social Services (Parity) Order (Northern Ireland) 1971 (increase, in certain cases, of retirement pension by reference to pensioner's previous entitlement to invalidity allowance), the amount of the increase payable to that person shall be determined as if the day appointed for the coming into force of the provisions of the Act of 1972 relating to invalidity allowance were 2nd October 1972.

(**a**) 1972. c. 57.
(**b**) 1972. c. 22.
(**c**) 1966. c. 6 (N.I).
(**d**) S.R. & O. (N.I.) 1971, No. 224.

(3) In the case of a person to whom injury benefit under the National Insurance (Industrial Injuries) Act (Northern Ireland) 1966(e) is payable for 4th October 1972 at a reduced weekly rate by virtue of the provisions of section 29 of that Act (adjustments for successive accidents), the rate of that injury benefit and of any sickness benefit under the National Insurance Act (Northern Ireland) 1966 or invalidity pension under the Social Services (Parity) Order (Northern Ireland) 1971 shall be determined as if the day appointed for the coming into force of the provisions of the Act of 1972 relating to higher rates of those benefits were 4th October 1972 and, where appropriate, as if the reference to 5th October in paragraph (1) were a reference to 4th October 1972.

3. This order may be cited as the National Insurance and Industrial Injuries (Commencement) Order (Northern Ireland) 1972.

Dated this 11th day of August 1972.

W. S. I. Whitelaw,
One of Her Majesty's Principal Secretaries of State.

(e) 1966. c. 9 (N.I.).