1966. No. 220 [C]

NATIONAL INSURANCE

Unemployment and Sickness Benefit

REGULATIONS, DATED 15TH SEPTEMBER 1966, MADE BY THE NATIONAL INSURANCE JOINT AUTHORITY, AND THE MINISTRY OF HEALTH AND SOCIAL SERVICES IN CONJUNCTION WITH THE MINISTRY OF FINANCE, UNDER THE NATIONAL INSURANCE ACTS (NORTHERN IRELAND) 1966.

The National Insurance Joint Authority, in exercise of powers conferred by section 19(2)(*a*) of the National Insurance Act (Northern Ireland) 1966(**a**), and the Ministry of Health and Social Services, in exercise of powers conferred by section 19(2)(*b*) of that Act (as substituted by section 3(1)(*b*) of the National Insurance (No. 2) Act (Northern Ireland) 1966(**b**)) and sections 2(8)(*a*) and 14(6) of the said (No. 2) Act of 1966 in conjunction with the Ministry of Finance so far as relates to matters with regard to which the Ministry of Finance has so directed, and in exercise of all other powers enabling them in that behalf, hereby make the following regulations:

Citation and commencement

1. These regulations, which may be cited as the National Insurance (Unemployment and Sickness Benefit) Amendment Regulations (Northern Ireland) 1966, shall be read as one with the National Insurance (Unemployment and Sickness Benefit) Regulations (Northern Ireland) 1961(**c**) (hereinafter referred to as "the Unemployment and Sickness Benefit Regulations") and shall come into operation on 6th October 1966.

Amendment of regulation 1 *of the Unemployment and Sickness Benefit Regulations*

2. In paragraph (2) of regulation 1 of the Unemployment and Sickness Benefit Regulations (interpretation), after the definition of "the Industrial Injuries Act" there shall be inserted the following definitions:

" 'the 1966 Act' means the National Insurance Act (Northern Ireland) 1966;

'the (No. 2) Act of 1966' means the National Insurance (No. 2) Act (Northern Ireland) 1966;".

Operation of regulations 4, 5 *and* 6

3. Regulations 4, 5 and 6 of these regulations shall have effect:

(*a*) for the purpose of earnings-related supplement payable under section 2 of the (No. 2) Act of 1966 and in determining for the purpose of regulation 7A or regulation 9 of the Unemployment and Sickness Benefit Regulations the seventh or a later day in a continuous period of suspension, as from 6th October 1966;

(*b*) for the purpose of any other provision of the 1966 Act relating to unemployment benefit and to a day or a period of interruption of employment, as from 10th March 1969.

(**a**) 1966. c. 6 (N.I.).
(**b**) 1966. c. 16 (N.I.).
(**c**) S.R. & O. (N.I.) 1961, No. 222.

Treatment of suspended employment as terminated

4. Where an employed contributor's employment has not been terminated but a person's employment therein has been suspended, that employment shall for the purpose of section 19(1)(*b*) of the 1966 Act as substituted by section 3(1) of the (No. 2) Act of 1966 be treated as having been terminated if the occupation in that employment is one which falls to be disregarded under the provisions of regulation 7(1)(*i*) of the Unemployment and Sickness Benefit Regulations.

Incapacity for work and suspension

5. For the purpose of section 19(1)(*b*) of the 1966 Act, as substituted by section 3(1) of the (No. 2) Act of 1966, a person's employment in an employed contributor's employment shall be treated as having been suspended, notwithstanding that he is or was incapable of work on any day, if it would have been so treated had that person not been incapable of work on that day, and any such day of incapacity shall be treated as the first or a later day in a continuous period of suspension if it would have been so treated had that person not been incapable of work on that day.

Calculation of period of suspension

6. For the purpose of determining the seventh or a later day in a continuous period of days on which a person employed in an employed contributor's employment has been suspended by the employer, there shall be disregarded the last day on which work in that employment was available to that person and any day before that day.

Amendment of regulation 7(1)(e) and 7(1)(f) of the Unemployment and Sickness Benefit Regulations

7.—(1) For sub-paragraph (*e*) of regulation 7(1) of the Unemployment and Sickness Benefit Regulations (receipt of wages or compensation after termination of employment), and for sub-paragraph (*f*) of that regulation (holiday and full normal extent rules), there shall be substituted the following sub-paragraphs:

"(*e*) a day shall not be treated as a day of unemployment if it is a day in respect of which a person receives a payment in lieu of either, the notice required to be given to him by his employer to terminate his contract of employment or, where the contract of employment is a contract for a term certain, the remuneration which he would have received for that day if the employment had not been terminated;

(*f*) a day shall not be treated as a day of unemployment if on that day a person does no work and is a person who does not ordinarily work on every day in a week (exclusive of Sunday or the day substituted therefor by regulation 5) but who is, in the week in which the said day occurs, employed to the full extent normal in his case, and in the application of this sub-paragraph to any person, no account shall be taken, in determining either the number of days in a week on which he ordinarily works or the full extent of employment in a week which is normal in his case, of any period of short-time working due to adverse industrial conditions;".

(2) Paragraphs (2), (3), (4) and (5) of regulation 7 of the Unemployment and Sickness Benefit Regulations are hereby revoked.

Regulation added to the Unemployment and Sickness Benefit Regulations

8. The following new regulation shall be inserted after regulation 7 of the Unemployment and Sickness Benefit Regulations: