

1975 No. 110

SOCIAL SECURITY**The Social Security Finance (Transitional) Regulations
(Northern Ireland) 1975**

Made 4th April 1975
Coming into operation 6th April 1975

The Department of Health and Social Services for Northern Ireland, in conjunction with the Department of Finance for Northern Ireland so far as relates to matters with regard to which the Department of Finance for Northern Ireland has so directed, in exercise of powers conferred by paragraphs 7 and 9 of Schedule 3 to the Social Security (Consequential Provisions) Act 1975(a), and of all other powers enabling it in that behalf, hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Social Security Finance (Transitional) Regulations (Northern Ireland) 1975, and shall come into operation on 6th April 1975.

- (2) In these regulations, unless the context otherwise requires—
 “the Act” means the Social Security (Northern Ireland) Act 1975(b);
 “the Health Service Contributions Act” means the Health Service Contributions Act (Northern Ireland) 1966(c);
 “the Insurance Act” means the National Insurance Act (Northern Ireland) 1966(d);
 “the Industrial Injuries Act” means the National Insurance (Industrial Injuries) Act (Northern Ireland) 1966(e);
 “the Redundancy Payments Act” means the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965(f);
 “the 1971 Order” means the Social Services (Parity) Order (Northern Ireland) 1971(g);
 “the Acts” means the Health Service Contributions Act, the Insurance Act, the Industrial Injuries Act, the Redundancy Payments Act and the 1971 Order,

and other expressions have the same meanings as in the Act.

(3) Any reference in these regulations to any provision made by or contained in any enactment or instrument shall, except in so far as the context otherwise requires, be construed as a reference to that provision as amended or extended by any enactment or instrument and as including a reference to any provision which it re-enacts or replaces, or which may re-enact or replace it, with or without modification.

(a) 1975 c. 18
 (b) 1975 c. 15
 (c) 1966 c. 7 (N.I.)
 (d) 1966 c. 6 (N.I.)

(e) 1966 c. 9 (N.I.)
 (f) 1965 c. 19 (N.I.)
 (g) S.R. & O. (N.I.) 1971 No. 224 (p. 1052)

(4) The rules for the construction of Acts of Parliament contained in the Interpretation Act 1889(h) shall apply for the purposes of the interpretation of this statutory rule as they apply for the purposes of the interpretation of an Act of Parliament.

Continuance in force of certain provisions of the Acts

2. For the purposes of facilitating the winding up of the system of insurance under the Insurance Act and the disposal of matters connected with that system, and of temporarily retaining for transitional purposes the effect of certain provisions which are repealed by section 100(2) of, and Schedule 28 to, the Social Security Act 1973(i), there shall continue in force the provisions of the Acts specified in the following provisions of these regulations, subject to the modifications therein specified.

Continuance and modification of sections of, and Schedule 9 to the Insurance Act

3.—(1) Sections 7 (Consolidated Fund supplements), 14(4) (Inland Revenue to account to the Department for sums received by way of graduated contributions), 81(1)(a) (payment of contributions into National Insurance Fund), 81(1)(b)(i) and (ii) (payments out of National Insurance Fund) and 83 (expenses of the Department) of, and paragraph 20(b) of Schedule 9 (special saving of section 64 of the National Insurance Act (Northern Ireland) 1946(j)) to the Insurance Act shall continue in force.

(2) Section 7 of the Insurance Act shall be modified so that there shall be payable out of money appropriated in such manner and at such times as the Department of Finance may determine a supplement of 18 per cent. on all contributions (including graduated contributions) payable under the Insurance Act received after 31st March 1975; so however that this modification shall not have effect for the purpose of any adjustment made after 31st March 1975 of the amount of such supplement payable in respect of contributions received before 1st April 1975.

Continuance and modification of sections of the Industrial Injuries Act

4.—(1) Sections 2(1)(b) (payments into Industrial Injuries Fund out of money appropriated by Measure of the Northern Ireland Assembly) and 57(1)(a) as amended by section 94(7) of the Social Security Act 1973(k), as adapted for Northern Ireland purposes (payment of contributions into the National Insurance Fund) of the Industrial Injuries Act shall continue in force.

(2) Section 2(1)(b) shall be modified so that there shall be paid out of money appropriated in such manner and at such times as the Department of Finance may determine a sum equal to 18 per cent. of all contributions payable under the Industrial Injuries Act which are received after 31st March 1975; so however that this modification shall not have effect for the purpose of any adjustment made after 31st March 1975 of the amount of such supplement payable in respect of contributions received before 1st April 1975.

(h) 1889 c. 63
(i) 1973 c. 38

(j) 1946 c. 23 (N.I.)
(k) 1973 c. 38

Continuance of sections of the Health Service Contributions Act

5. Sections 1(4) (payment of contributions towards cost of health service), 2(1) to (3) and (7) (collection, etc. of contributions) and 3 (financial provisions) of the Health Service Contributions Act shall continue in force.

Continuance of sections of the Redundancy Payments Act

6. Sections 36(1) (payment of contributions to the Department of Man-power Services), 38(1) to (3) (collection of contributions), 39 (application of contributions) and 60(5)(b) (expenses) of the Redundancy Payments Act shall continue in force.

Continuance of Articles of the 1971 Order

7. Articles 13(1) and (2) (payments of certain non-contributory benefits) of the 1971 Order shall continue in force.

Return of health service or redundancy fund contributions paid in error

8. Where any health service or redundancy fund contribution which has been paid in error falls to be repaid by virtue of the provisions of regulation 23 of the National Insurance (Contributions) Regulations (Northern Ireland) 1962(l) (which regulation is continued in force by regulation 69(2) of and Part II of Schedule 4 to the Social Security (Contributions) (Northern Ireland) Regulations 1974(m)), the cost of such repayment shall be met by—

- (a) set-off against any health service or (as the case may be) redundancy fund contributions received after 31st March 1975 in respect of a period before 1st April 1975, and
- (b) to the extent that the aggregate amount of such repayments exceeds the aggregate amount of such contributions, by set-off against the health service or (as the case may be) Redundancy Fund allocations made under section 128 of the Act.

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 4th April 1975.

(L.S.)

C. G. Oakes

Assistant Secretary

Sealed with the Official Seal of the Department of Finance for Northern Ireland on 4th April 1975.

(L.S.)

L. J. Johnston

Assistant Secretary

EXPLANATORY NOTE

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

These regulations make provision for transitional financial matters arising out of the repeal or partial repeal of the National Insurance Act (Northern Ireland) 1966, the National Insurance (Industrial Injuries) Act (Northern Ireland) 1966, the Health Service Contributions Act (Northern Ireland) 1966, the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965 and the Social Services (Parity) Order (Northern Ireland) 1971. Provision is made for the continuance in force, subject in some cases to modifications, of certain sections of those enactments. In particular provision is made for the disposal of contributions payable under those enactments which are received after 31st March 1975 in respect of a period before 1st April 1975; for supplements to those contributions; and for related matters.