

1970 No. 217

SOCIAL SECURITY

**The National Insurance (Classification)
Amendment Regulations 1970**

<i>Made</i> - - -	<i>12th February 1970</i>
<i>Laid before Parliament</i>	<i>20th February 1970</i>
<i>Coming into Operation</i>	<i>23rd February 1970</i>

The Secretary of State for Social Services, in conjunction with the Treasury, in exercise of his powers under sections 1(3) and 16(1) of the National Insurance Act 1965(a), and of all other powers enabling him in that behalf, after considering the report of the National Insurance Advisory Committee on the preliminary draft submitted to them in accordance with section 108 of that Act, hereby makes the following regulations:—

Citation, interpretation and commencement

1. These regulations, which may be cited as the National Insurance (Classification) Amendment Regulations 1970, shall be read as one with the National Insurance (Classification) Regulations 1948(b) as amended (c) (hereinafter referred to as “the principal regulations”) and shall come into operation on 23rd February 1970.

Amendment of Part I of Schedule 1 to the principal regulations

2. In Part I of Schedule 1 to the principal regulations (which Part sets out in column (A) employments in respect of which persons are treated as employed persons, and in column (B) the persons excepted from the operation of column (A)) immediately after paragraph 5B (which was added by regulation 3 of the National Insurance (Classification) Amendment Regulations 1968(d)) there shall be added—

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

“5C. Employment (notwithstanding that it is not employment under a contract of service) as a clerk, secretary, typist or book-keeper or in any similar capacity, or as a telephonist or office machine operator where the person employed is supplied by or through the agency of some third person and where the remuneration of the person employed is paid by or through or on the basis of accounts submitted by that third person.”; and

(b) in column (B) the following:—

“5C. Any person in employment specified in paragraph 5C of column (A) where the services of the person employed are rendered in his own home or on other premises not under the control or management of the person for whom the services are rendered (except where such other premises are premises at which the person employed is required, by reason of the nature of the services, to render the services).”.

(a) 1965 c. 51.

(b) S.I. 1948/1425 (Rev. XVI, p. 95: 1948 I, p. 2738).

(c) The relevant amending instrument is S.I. 1950/830 (1950 II, p. 12).

(d) S.I. 1968/1684 (1968 III, p. 4578).

Amendment of Schedule 3 to the principal regulations

3. In Schedule 3 to the principal regulations (which sets out in column (B) the persons who are to be treated for the purposes of the National Insurance Act 1965 as employers of persons employed in employments specified in column (A) thereof) immediately after paragraph 7 (which was added by regulation 5 of the National Insurance (Classification) Amendment Regulations 1968) there shall be added—

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

“8. Employment, whether under a contract of service or not, as a clerk, secretary, typist or book-keeper or in any similar capacity or as a telephonist or office machine operator where the person employed is supplied by or through the agency of some third person and where the remuneration of the person employed is paid by or through or on the basis of accounts submitted by that third person not being employment specified in paragraph 5C of column (B) of Schedule 1 to these regulations.”; and

(b) in column (B) the following:—

“8. The third person by whom or through whose agency the person employed is supplied.”.

Signed by authority of the Secretary of State for Social Services.

David Ennals,
Minister of State,
Department of Health and Social Security.

11th February 1970.

Joseph Harper,
Ernest Armstrong,
Two of the Lords Commissioners
of Her Majesty's Treasury.

12th February 1970.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the National Insurance (Classification) Regulations 1948 by including among employments in respect of which persons are treated as employed persons, employment as a clerk, secretary, typist or book-keeper or in any similar capacity or as a telephonist or office machine operator where the persons employed are supplied by or through the agency of a third person and do not render their services on their own premises and where the remuneration is paid by or through, or on the basis of accounts submitted by such third person, and by prescribing such third person as the employer of the persons so employed.

The report of the National Insurance Advisory Committee on the preliminary draft of these Regulations (described on its publication as the preliminary draft of the National Insurance (Classification) Amendment Regulations 1969) dated 20th February 1970, is contained in House of Commons Paper No. 150 (Session 1969-70) published by Her Majesty's Stationery Office.

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