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STATUTORY INSTRUMENTS

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**1960 No. 1103**

**National Insurance (Non-participation—Assurance  
of Equivalent Pension Benefits) Regulations 1960**

**PART II**

INTERRUPTION AND END OF SERVICE, AND TIME  
FOR PAYMENT IN LIEU OF CONTRIBUTIONS

*End of period of service and disregard of interruptions*

2.—(1) The following provisions of this regulation shall have effect in determining whether a person's period of service in a non-participating employment is to be treated, for the purpose of the provisions of Part II of the Act of 1959 relating to the making of a payment in lieu of contributions at the end of such a period, as having come to an end.

(2) Subject to the following provisions of this regulation, a person's employment shall not be treated, for the purpose of the said provisions of Part II of the Act of 1959, as having come to an end unless thirteen contribution weeks have elapsed since the termination of a period of contribution liability in relation to the employment, and in that event the employment shall be treated as having come to an end upon that termination.

(3) Where, after the termination of a period of contribution liability in relation to a person's employment, either—

- (a) a new period of contribution liability begins in relation to that employment after an interruption not exceeding thirteen contribution weeks; or
- (b) the interruption is brought to an end by the person's death before the expiration of thirteen contribution weeks;

the interruption shall be disregarded and the employment shall not be treated, for the purpose of the said provisions of Part II of the Act of 1959, as having come to an end upon that termination and shall, subject to the provisions of regulation 3, be treated for that purpose as having continued during the interruption and, where the person has so died, as having come to an end by his death;

Provided that this paragraph shall not apply in a case to which paragraph (5) applies.

(4) The Minister may, subject to and in accordance with the provisions of regulation 18, extend the period of thirteen weeks referred to in the foregoing provisions of this regulation, and in that event those provisions shall, subject to the provisions of paragraph (5) of regulation 18, apply with the substitution of the extended period for the said period of thirteen weeks and the assurance period shall begin at the end of that extended period and, subject to the provisions of that regulation, end thirteen weeks thereafter.

(5) A person and his employer may, at any time within [<sup>F1</sup>the period beginning one month before and ending] thirteen weeks after the termination of a period of contribution liability in relation to the person's employment, together give the Minister notice in writing that they wish the employment to be treated, for the purpose of the said provisions of Part II of the Act of 1959, as [<sup>F2</sup>coming or] having come to an end upon that termination and, if such notice is given [<sup>F3</sup>(and, in the case of a

notice given in advance of termination, that termination occurs on the date specified in the notice)], the employment shall be treated for that purpose as having come to an end upon that termination:

<sup>F4</sup>Provided that this paragraph shall not apply if a new period of contribution liability has begun in relation to the employment without any such notice having been given, or if, after such notice has been given ..., either the person and the employer together give the Minister written notice withdrawing the notice under this paragraph [<sup>F5</sup>not later than the end of the assurance period] or the person dies [<sup>F6</sup>before a payment in lieu of contributions has been made in respect of his period of service].

(6) If either—

- (a) a person's employment becomes a non-participating employment in the course of his service in it, and a period of contribution liability in relation to that employment is not then current; or
- (b) in any other case, the beginning of a person's period of service in a non-participating employment occurs in such circumstances as not to fall in a period of contribution liability in relation to that employment;

and in either case no such period of contribution liability has begun before the end of the first contribution week beginning in his period of service in non-participating employment, the foregoing provisions of this regulation shall apply as if the termination of a period of contribution liability had occurred immediately before the beginning of that contribution week.

(7) Nothing in the foregoing provisions of this regulation shall prevent a person's period of service in a non-participating employment from being treated, for the purpose of the said provisions of Part II of the Act of 1959, as having come to an end when either—

- (a) the employment ceases to be a non-participating employment; or
- (b) the employer dies and the employment is not treated under regulations made under that Act as continuing under a new employer;

unless in either of those events the period of service falls, under the said foregoing provisions, to be treated for that purpose as having come to an end at some earlier date.

#### Textual Amendments

- F1** Words in reg. 2(5) inserted (6.1.1964) by [The National Insurance \(Non-participation-Assurance of Equivalent Pension Benefits\) Amendment \(No.2\) Regulations 1963 \(S.I. 1963/1988\)](#), regs. 1, **2(2)(a)**
- F2** Words in reg. 2(5) inserted (6.1.1964) by [The National Insurance \(Non-participation-Assurance of Equivalent Pension Benefits\) Amendment \(No.2\) Regulations 1963 \(S.I. 1963/1988\)](#), regs. 1, **2(2)(b)**
- F3** Words in reg. 2(5) inserted (6.1.1964) by [The National Insurance \(Non-participation-Assurance of Equivalent Pension Benefits\) Amendment \(No.2\) Regulations 1963 \(S.I. 1963/1988\)](#), regs. 1, **2(2)(c)**
- F4** Words in reg. 2(5) deleted (6.1.1964) by [The National Insurance \(Non-participation-Assurance of Equivalent Pension Benefits\) Amendment \(No.2\) Regulations 1963 \(S.I. 1963/1988\)](#), regs. 1, **2(3)(a)**
- F5** Words in reg. 2(5) inserted (6.1.1964) by [The National Insurance \(Non-participation-Assurance of Equivalent Pension Benefits\) Amendment \(No.2\) Regulations 1963 \(S.I. 1963/1988\)](#), regs. 1, **2(3)(b)**
- F6** Words in reg. 2(5) added (6.1.1964) by [The National Insurance \(Non-participation-Assurance of Equivalent Pension Benefits\) Amendment \(No.2\) Regulations 1963 \(S.I. 1963/1988\)](#), regs. 1, **2(3)(c)**

#### Modifications etc. (not altering text)

- C1** Reg. 2(2) modified (6.4.1975) by [The National Insurance \(Non-participation—Transitional Provisions\) Regulations 1974 \(S.I. 1974/2057\)](#), reg. 1(1), **Sch. 3**
- C2** Reg. 2(3) modified (6.1.1975) by [The National Insurance \(Non-participation—Transitional Provisions\) Regulations 1974 \(S.I. 1974/2057\)](#), reg. 1(1), **Sch. 3**

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**Changes to legislation:** *There are currently no known outstanding effects for the National Insurance (Non-participation—Assurance of Equivalent Pension Benefits) Regulations 1960, Section 2. (See end of Document for details)*

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**C3** Reg. 2(4)-(7) modified (6.4.1975) by [The National Insurance \(Non-participation—Transitional Provisions\) Regulations 1974 \(S.I. 1974/2057\)](#), reg. 1(1), **Sch. 3**

**Changes to legislation:**

There are currently no known outstanding effects for the National Insurance (Non-participation—Assurance of Equivalent Pension Benefits) Regulations 1960, Section 2.