

1963 No. 502

NATIONAL INSURANCE

The National Insurance (New Entrants Transitional)
Amendment Regulations 1963

<i>Made</i> - - - - -	14th March 1963
<i>Laid before Parliament</i>	21st March 1963
<i>Coming into Operation</i>	1st April 1963

The Minister of Pensions and National Insurance, in conjunction with the Treasury, in exercise of powers conferred by section 71 of the National Insurance Act 1946(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, hereby makes the following regulations :—

Citation, interpretation and commencement

1. These regulations, which may be cited as the National Insurance (New Entrants Transitional) Amendment Regulations 1963, shall be read as one with the National Insurance (New Entrants Transitional) Regulations 1949(b), as amended(c) (hereinafter referred to as “the principal regulations”) and shall come into operation on the 1st April 1963.

Amendment of regulation 4A of the principal regulations

2.—(1) In regulation 4A (1) of the principal regulations, for the words “Subject to the following paragraph” there shall be substituted the words “Subject to the following paragraphs of this regulation”.

(2) In sub-paragraph (i) of the said regulation 4A (1), for the words “as an employed or self-employed person” there shall be substituted the words “as an insured person”.

(3) After regulation 4A (2) of the said regulations, there shall be added the following paragraphs:—

“(3) Any person to whom paragraph (1) of this regulation applies and who but for the provisions of sub-paragraph (i) of the said paragraph would be liable to pay a contribution as an insured person for any week after attaining the age of sixty-five (or, in the case of a woman, sixty) may elect to be liable to pay such a contribution:

Provided that a person who, either before or after the coming into operation of this paragraph, has obtained a refund in accordance with paragraph (1) (ii) of this regulation may not so elect unless he first repays to the Minister the amount of the said refund.

(4) Any election under paragraph (3) of this regulation—

(a) shall be made by giving notice in writing to the Minister and shall be operative from the beginning of the week in which the notice was given, or from such earlier date as the Minister may allow; and

(b) may be cancelled by giving notice in writing to the Minister to that effect, and such cancellation shall be operative from the beginning of the week in which the notice was given, or from such earlier date as the Minister may allow:

(a) 9 & 10 Geo. 6. c. 67. (b) S.I. 1949/352 (1949 I, p. 2737). (c) The relevant amending regulations are S.I. 1958/1239, 2124, 1961/557 (1958 II, pp. 1661, 1666; 1961 I, p. 1228).

Provided that the employer of an employed person who makes such an election shall not be liable to pay a contribution on behalf of that person for any week unless before the expiry of the time prescribed (a) for payment he is informed of the said person's election to be liable to pay such a contribution.

(5) The provisions of paragraph (1) (ii) of this regulation shall cease to apply to any person who elects to be liable to pay contributions under the provisions of paragraph (3) of this regulation, and shall not again apply to him notwithstanding any subsequent cancellation of that election”.

Amendment of regulation 4B of the principal regulations

3. In regulation 4B (1) of the principal regulations, for the words “sub-paragraphs (i), (ii) and (iii) of the said paragraph (1)” there shall be substituted the words “paragraphs (1) (i), (1) (ii), (1) (iii), (3), (4) and (5) of regulation 4A”.

Niall Macpherson,

Minister of Pensions and National Insurance.

12th March 1963.

John Hill,

M. A. Hamilton,

Two of the Lords Commissioners
of Her Majesty's Treasury.

14th March 1963.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations relate to persons who, under the National Insurance (New Entrants Transitional) Regulations 1949, are excepted from liability to pay contributions after attaining the age of sixty-five (or, in the case of a woman, sixty) because they entered insurance too late to satisfy the contribution conditions for a retirement pension at that age. They provide that such a person may elect to pay contributions (other than graduated contributions under the National Insurance Act 1959); if, however, he has already obtained, under regulation 4A (1) (ii) of those Regulations, a refund of that portion of his contributions which was attributable to widow's benefit and retirement pension, he must first repay the amount of that refund.

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 (New Entrants Transitional) Amendment Regulations 1962) dated the 18th February 1963, is contained in House of Commons Paper No. 165 (Session 1962-63) published by Her Majesty's Stationery Office.