
S T A T U T O R Y I N S T R U M E N T S

1974 No. 841 (C.16)

SOCIAL SECURITY

The National Insurance Act 1974 (Commencement) Order 1974

<i>Made - - - -</i>	15th May 1974
<i>Laid before Parliament</i>	16th May 1974
<i>Coming into Operation</i>	17th May 1974

The Secretary of State for Social Services, in conjunction with the Treasury(a), in exercise of powers conferred by section 8(4) of, and paragraph 1 of Schedule 5 to, the National Insurance Act 1974(b), and of all other powers enabling her in that behalf, hereby makes the following order:—

Citation and commencement

1. This order may be cited as the National Insurance Act 1974 (Commencement) Order 1974 and shall come into operation on 17th May 1974.

Appointed days

2.—(1) Subject to the following provisions of this order, the day appointed for the coming into force of any provision of the National Insurance Act 1974 specified in column 1 of the Schedule to this order, so far as that provision relates to any subject matter specified in column 2 of that Schedule, shall be the date specified in column 3 of that Schedule in relation to that subject matter.

(2) As respects the period beginning with 22nd July 1974 and ending with 24th July 1974, the rate of a person's unemployment benefit, sickness benefit or invalidity pension for any day in that period by virtue of section 19(3) of the National Insurance Act 1965(c) or section 3(4) of the National Insurance Act 1971(d) (rate of unemployment benefit, sickness benefit or invalidity pension for persons over pensionable age who have not retired from regular employment) shall be determined as if the day appointed for the coming into force of the provisions of the said Act of 1974 relating to higher rates of retirement pension under the said Act of 1965 were 25th July 1974.

(3) In a case where the weekly rate of retirement pension payable to a person who has retired from regular employment falls to be increased under the provisions of section 3(6) of the National Insurance Act 1971 (increase, in certain cases, of retirement pension by reference to pensioner's previous entitlement to invalidity allowance), the amount of the increase payable to that person shall be determined as if the day appointed for the coming into force of the provisions of the said Act of 1974 relating to invalidity allowance were 22nd July 1974.

(4) In the case of a person to whom injury benefit under the National Insurance (Industrial Injuries) Act 1965(e) is payable for 24th July 1974 at a re-

(a) See s. 106(5) of the National Insurance Act 1965 (c.51).
 (b) 1974 c. 14. (c) 1965 c. 51.
 (d) 1971 c. 50. (e) 1965 c. 52.

duced weekly rate by virtue of the provisions of section 29(1) of that Act (adjustments for successive accidents), the rate of that injury benefit and of any sickness benefit under the National Insurance Act 1965 or invalidity pension under the National Insurance Act 1971 shall be determined as if the day appointed for the coming into force of the provisions of the said Act of 1974 relating to higher rates of those benefits were 24th July 1974 and, where appropriate, as if the reference to 25th July 1974 in paragraph (2) of this Article were a reference to 24th July 1974.

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

Brian O'Malley,
Minister of State,

Department of Health and Social Security.

14th May 1974.

T. Pendry,
James A. Dunn,

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

15th May 1974.

SCHEDULE

Article 2

Provisions of the National Insurance Act 1974 (1)	Subject Matter (2)	Appointed Day (3)
Section 1 and Schedule 1	Rates of benefit under the National Insurance Act 1965 in the case of— (a) unemployment, sickness and invalidity benefit (b) attendance allowance, maternity allowance, widow's benefit, guardian's allowance, retirement pension, age addition and child's special allowance (c) calculation of earnings-related supplement and widow's supplementary allowance	25th July 1974 22nd July 1974 22nd July 1974
Section 2(1) and (2) and Schedule 2	Flat-rate contributions under the National Insurance Act 1965, any increase payable by way of Exchequer supplement under section 7 of that Act and graduated contributions under that Act	5th August 1974
Section 2(3)	Higher income limit for exception from liability to pay contributions	5th August 1974
Section 2(4)	Payment to the National Insurance Fund out of money provided by Parliament in addition to Exchequer supplements	5th August 1974
Section 3(1) and Schedule 3	Rates and amounts of benefit under the National Insurance (Industrial Injuries) Act 1965 in the case of— (a) injury benefit (including increases thereof) and increases of disablement pension in respect of children and adult dependants in the case of a beneficiary receiving, as an in-patient in a hospital or similar institution, medical treatment for the relevant injury or loss of faculty (b) disablement benefit (including increases of disablement pension other than those mentioned in the preceding subparagraph), increase of unemployability supplement under section 13A, maximum under section 29(1)(a) of aggregate of weekly benefits payable for successive accidents and maximum disablement gratuity under section 12(3) (c) widow's pension under section 19, widower's pension under section 20 and allowance in respect of children of deceased's family under section 21	25th July 1974 24th July 1974 22nd July 1974

SCHEDULE—(continued)

Provisions of the National Insurance Act 1974 (1)	Subject Matter (2)	Appointed Day (3)
Section 3(2)	Benefit under the Industrial Injuries and Diseases (Old Cases) Act 1967(a)	24th July 1974
Section 3(3)	Employers' contributions under the National Insurance (Industrial Injuries) Act 1965 and contributions paid out of money provided by Parliament under section 2(1)(b) of that Act	5th August 1974
Section 4	Relaxation of the earnings rule in the case of— (a) retirement pensioners under the National Insurance Act 1965 and certain of their wives (b) certain wives of persons entitled to an increase of disablement pension by way of unemployability supplement under the National Insurance (Industrial Injuries) Act 1965 (c) certain wives of persons entitled to invalidity pension under the National Insurance Act 1965	22nd July 1974 24th July 1974 25th July 1974
Section 5	Amendment of section 39 of the Social Security Act 1973(b)	17th May 1974
Section 6(1)— (4)	Correction of accidental errors in and setting-aside of decisions; the Joint Authorities for Great Britain and Northern Ireland for national insurance and industrial injuries purposes; regulations giving a discretion to the Occupational Pensions Board	13th June 1974
Section 6(5) and Schedule 4	Amendments in connection with the consolidation of enactments relating to social security and other minor amendments of the National Insurance Act 1965, the National Insurance (Industrial Injuries) Act 1965, the National Insurance Act 1966(c), the Supplementary Benefit Act 1966(d), the Industrial Injuries and Diseases (Old Cases) Act 1967, the National Insurance Act 1972(e), the Social Security Act 1973, the National Insurance and Supplementary Benefit Act 1973(f), the National Insurance Act (Northern Ireland) 1966(g), the National Insurance (Industrial Injuries) Act (Northern Ireland) 1966(h), the Workmen's Compensation (Supplementation) Act (Northern Ireland) 1966(i), the National Insurance (No. 2) Act (Northern	

(a) 1967 c. 34.

(c) 1966 c. 6.

(e) 1972 c. 57.

(g) 1966 c. 6 (N.I.).

(i) 1966 c. 14 (N.I.).

(b) 1973 c. 38.

(d) 1966 c. 20.

(f) 1973 c. 42.

(h) 1966 c. 9 (N.I.).

SCHEDULE—(continued)

Provisions of the National Insurance Act 1974 (1)	Subject Matter (2)	Appointed Day (3)
	Ireland) 1966(a) and the Supplementary Benefits &c. Act (Northern Ireland) 1966(b)— (a) amendments effected by paragraphs 13, 14, 18, 25, 28, 33, 36, 37, 55 and 56 of Schedule 4 (b) amendment effected by paragraph 17 of Schedule 4 (c) amendments effected by sub-paragraphs (c) and (d) of paragraph 40 of Schedule 4 (d) remainder of amendments effected in Schedule 4	17th May 1974 22nd July 1974 1st April 1975 6th April 1975
Section 7	Expenses	17th May 1974
Section 8(3) and (6)	Citation and construction and application to Northern Ireland	17th May 1974
Section 8(5) and Schedule 6	Repeal of— (a) provisions of the National Insurance (Industrial Injuries) Act 1965 and the National Insurance (Industrial Injuries) Act (Northern Ireland) 1966 (b) the National Insurance Regulations (Validation) Act 1972(c) (c) section 4(2)(part) of the National Insurance Act 1972 (d) provisions of the Social Security Act 1973 (e) provisions of the National Insurance and Supplementary Benefit Act 1973— (i) section 1(1) and Schedule 1 in the case of— (aa) unemployment, sickness and invalidity benefit (bb) attendance allowance, maternity allowance, widow's benefit, guardian's allowance, retirement pension, age addition and child's special allowance (ii) section 2 and Schedule 2 (iii) section 3(1) and Schedule 3 in the case of— (aa) injury benefit (including increases thereof) and increases of disablement pension in respect of children and adult dependants in the case of a beneficiary receiving,	6th April 1975 13th June 1974 22nd July 1974 6th April 1975 25th July 1974 22nd July 1974 5th August 1974

(a) 1966 c. 16 (N.I.).
(c) 1972 c. 4.

(b) 1966 c. 28 (N.I.).

SCHEDULE—(continued)

Provisions of the National Insurance Act 1974 (1)	Subject Matter (2)	Appointed Day (3)
	as an in-patient in a hospital or similar institution, medical treatment for the relevant injury or loss of faculty	25th July 1974
	(bb) disablement benefit (including increases of disablement pension other than those mentioned in the preceding sub-paragraph), increase of unemployability supplement under section 13A, maximum under section 29(1)(a) of aggregate of weekly benefits payable for successive accidents and maximum disablement gratuity under section 12(3)	24th July 1974
	(cc) widow's pension under section 19, widower's pension under section 20 and allowance in respect of children of deceased's family under section 21	22nd July 1974
	(iv) section 3(3)	24th July 1974
	(v) section 3(4)	5th August 1974
	(vi) section 4(3) (part)	1st April 1975
	(vii) section 7 (part)	17th May 1974
	(viii) section 8(1) (part)	17th May 1974
Schedule 5 paragraph 2	Temporary exclusion of certain requirements in relation to certain regulations	17th May 1974

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order specifies the dates on which all the provisions of the National Insurance Act 1974 are to come into operation except those which came into operation on the passing of that Act (section 8(1), (2), and (4) and paragraph 1 of Schedule 5).

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