

SCHEDULE 1

Regulations 2 and 3

PART I

EMPLOYMENTS TO BE TREATED AS EMPLOYED EARNERS' EMPLOYMENTS FOR INDUSTRIAL INJURIES PURPOSES

1. Employment in Great Britain under a contract of apprenticeship where the person employed as an apprentice is not gainfully employed thereunder.

Commencement Information

I1 Sch. 1 para. 1 in force at 6.4.1975, see reg. 1(1)

2. Employment in Great Britain [^{F1}as an employee of a fire and rescue authority employed for the purposes of that authority under the Fire and Rescue Services Act 2004 or] as [^{F2}the Scottish Fire and Rescue Service established under section 1A of the Fire (Scotland) Act 2005] or a member, or as a person training to become a member, of any [^{F3}fire brigade], rescue brigade, first aid party or salvage party or air raid precautions party at a mine or quarry or at any premises to which any of the provisions of the Factories Act 1961 apply, or at a shop, office or other premises used solely for business or commercial purposes, in any case in which such organisation is established in pursuance of an obligation imposed under statute or by or with the consent of the owner or occupier of any such mine, quarry or other premises.

Textual Amendments

F1 Words in Sch. 1 Pt. I para. 2 inserted (E.) (30.12.2004) by [The Fire and Rescue Services Act 2004 \(Consequential Amendments\) \(England\) Order 2004 \(S.I. 2004/3168\)](#), arts. 1(1), **6(2)** and (W.) (25.10.2005) by [The Fire and Rescue Services Act 2004 \(Consequential Amendments\) \(Wales\) Order 2005 \(S.I. 2005/2929\)](#), art. 1(1), **reg. 7(2)**

F2 Words in Sch. 1 Pt. I para. 2 substituted (29.10.2013) by [The Social Security \(Miscellaneous Amendments\) \(No. 3\) Regulations 2013 \(S.I. 2013/2536\)](#), regs. 1(1), **2**

F3 Words in Sch. 1 Pt. I para. 2 omitted (S.) (2.8.2005) by virtue of [The Fire \(Scotland\) Act 2005 \(Consequential Provisions and Modifications\) Order 2005 \(S.I. 2005/2060\)](#), art. 1(2)(f), **Sch. para. 4(2)(b)**

Commencement Information

I2 Sch. 1 para. 2 in force at 6.4.1975, see reg. 1(1)

3. Employment as a person appointed for the purposes of section 123(1) of the Mines and Quarries Act 1954 by the workmen employed in a mine or quarry to which that Act applies.

Commencement Information

I3 Sch. 1 para. 3 in force at 6.4.1975, see reg. 1(1)

4. Employment of a person in pursuance of an Agreement dated 3rd March 1941, and made between the Mining Association of Great Britain and the Mineworkers' Federation of Great Britain, as amended by an Agreement dated 5th December 1946 (which substituted the National Coal Board and the National Union of Mineworkers respectively as parties thereto)—

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- (a) as full-time or part-time inspector of a mine; or
- (b) for the purposes of accompanying any such inspector on the inspection of a mine.

Commencement Information

I4 Sch. 1 para. 4 in force at 6.4.1975, see reg. 1(1)

5. Employment in or about a mine or quarry of any person (being a person nominated pursuant to section 116(1) of the Mines and Quarries Act 1954 or a person nominated by such a person for the purposes of such employment) in attending at any place at which an accident or dangerous occurrence has happened or in performing any other duty, pursuant to any consent given by an inspector for the purposes of section 120 of that Act.

Commencement Information

I5 Sch. 1 para. 5 in force at 6.4.1975, see reg. 1(1)

6. Employment in Great Britain as a special constable.

Commencement Information

I6 Sch. 1 para. 6 in force at 6.4.1975, see reg. 1(1)

7. Employment in any designated area which is employment in connection with [^{F4}any activity mentioned in section 23(2) of the Oil and Gas (Enterprise) Act 1982] in any designated area and which, were every such area in Great Britain, would be employed earner's employment under Chapter IV of Part II of the Act of 1975.

Textual Amendments

F4 Words in Sch. 1 Pt. I para. 7 substituted (31.12.1982) by [The Social Security and Statutory Sick Pay \(Oil and Gas \(Enterprise\) Act 1982\) \(Consequential\) Regulations 1982 \(S.I. 1982/1738\)](#), regs. 1(1), [3](#)

Commencement Information

I7 Sch. 1 para. 7 in force at 6.4.1975, see reg. 1(1)

8. Employment in Great Britain in plying for hire with any vehicle or vessel the use of which is obtained under any contract of bailment or, in Scotland, of letting to hire (not being in either case a hire purchase agreement) in consideration of the payment of a fixed sum or a share in the earnings or otherwise.

Commencement Information

I8 Sch. 1 para. 8 in force at 6.4.1975, see reg. 1(1)

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PART II

EMPLOYMENTS NOT TO BE TREATED AS EMPLOYED EARNERS' EMPLOYMENTS FOR INDUSTRIAL INJURIES PURPOSES

1. Employment of a person by his or her spouse [^{F5}or civil partner] where the employment is either—

- (a) not for the purposes of the spouse's [^{F6}or civil partner's] employment; or
- (b) not employment in respect of which the person ordinarily receives earnings at or above the lower earnings limit for Class 1 contributions within the meaning of section 4 of the Act of 1975.

Textual Amendments

- F5** Words in Sch. 1 Pt. II para. 1 inserted (5.12.2005) by The Civil Partnership (Pensions, Social Security and Child Support) (Consequential, etc. Provisions) Order 2005 (S.I. 2005/2877), art. 1, **Sch. 3 para. 2(a)** (with art. 3)
- F6** Words in Sch. 1 Pt. II para. 1 inserted (5.12.2005) by The Civil Partnership (Pensions, Social Security and Child Support) (Consequential, etc. Provisions) Order 2005 (S.I. 2005/2877), art. 1, **Sch. 3 para. 2(b)** (with art. 3)

Commencement Information

- I1** Sch. 1 para. 1 in force at 6.4.1975, see reg. 1(1)

2. Employment by the father, mother, grandfather, grandmother, stepfather, stepmother, son, daughter, grandson, granddaughter, stepson, stepdaughter, brother, sister, half-brother, or half-sister of the person employed, insofar as the employment—

- (a) is employment in a private dwelling-house in which both the person employed and the employer reside; and
- (b) is not employment for the purposes of any trade or business carried on there by the employer.

Commencement Information

- I2** Sch. 1 para. 2 in force at 6.4.1975, see reg. 1(1)

[^{F7}3. Employment:

- (a) as a member of the naval, military or air forces of a country to which a provision of the Visiting Forces Act 1952 applies by virtue of section 1 thereof;
- (b) as a civilian by any such force, except where the person so employed is ordinarily resident in the United Kingdom.]

Textual Amendments

- F7** Sch. 1 Pt. II paras. 3, 4 inserted (1.12.1980) by The Social Security (Categorisation of Earners) Amendment Regulations 1980 (S.I. 1980/1714), regs. 1(1), **2(a)(b)**

[^{F7}4. Employment as a member of any international headquarters or defence organisation designated under section 1 of the International Headquarters and Defence Organisations Act 1964,

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except where [^{F8}there is a liability for contributions under the Act of 1975 arising from such employment and] the person so employed is ordinarily resident in the United Kingdom.]

.....
Textual Amendments

- F7** Sch. 1 Pt. II paras. 3, 4 inserted (1.12.1980) by [The Social Security \(Categorisation of Earners\) Amendment Regulations 1980 \(S.I. 1980/1714\)](#), regs. 1(1), **2(a)(b)**
- F8** Words in Sch. 1 Pt. II para. 4 inserted (6.4.1984) by [The Social Security \(Employed Earners' Employments for Industrial Injuries Purposes\) Amendment Regulations 1984 \(S.I. 1984/303\)](#), regs. 1, **2**

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