

1977 No. 1288**SOCIAL SECURITY****The Social Security (Claims and Payments) Amendment
Regulations 1977***Made - - - - - 28th July 1977**Laid before Parliament 5th August 1977**Coming into Operation 5th September 1977*

The Secretary of State for Social Services, in exercise of the powers conferred upon him by section 79(1) and (3) of the Social Security Act 1975(a) and of all other powers enabling him in that behalf, after reference to the National Insurance Advisory Committee, hereby makes the following regulations:—

Citation, interpretation and commencement

1. These regulations, which may be cited as the Social Security (Claims and Payments) Amendment Regulations 1977, shall be read as one with the Social Security (Claims and Payments) Regulations 1975(b), as amended(c), (hereinafter referred to as “the principal regulations”) and shall come into operation on 5th September 1977.

Amendment of regulation 12 of the principal regulations

2.—(1) In regulation 12 of the principal regulations (forward allowance and disallowance of unemployment benefit) paragraph (2) shall be amended in accordance with the following provisions of this regulation and shall accordingly have effect as set out in the Schedule hereto.

(2) In sub-paragraph (a) of the said paragraph (2) after the words “a claim for unemployment benefit” there shall be inserted the following:—

“made—

- (i) while such certificate has effect; or
- (ii) within 28 days before the date upon which the certificate is issued, whether or not benefit has already been allowed on such claim; or
- (iii) while a previous certificate under this regulation had effect so as to allow that claim to be treated as made for a period after the date on which it was made,”.

(3) At the end of sub-paragraph (b) of the said paragraph (2) there shall be added the words “other than, in the case of a claim made before the certificate is issued, any part of the period for which benefit has already been allowed”.

(a) 1975 c. 14.

(b) S.I. 1975/560 (1975 I, p. 2014).

(c) The relevant amending instrument is S.I. 1976/1736 (1976 III, p. 4596).

New regulation to be inserted in the principal regulations

3. After regulation 12 of the principal regulations there shall be inserted the following regulation:—

“Special provisions relating to claims for unemployment benefit made during periods connected with public holidays

12A.—(1) In this regulation:—

- (a) “public holiday” means, as the case may be, Christmas Day, Good Friday or a Bank Holiday under the Banking and Financial Dealings Act 1971(a); and “Christmas and New Year holidays” and “Good Friday and Easter Monday” shall be construed accordingly and shall in each case be treated as one period;
- (b) “office closure” means a period during which an unemployment benefit office is closed in connection with a public holiday;
- (c) in computing any period of time Sundays shall not be disregarded.

(2) Where any claim for unemployment benefit, other than a claim to which regulation 12(2) applies, is made during one of the periods set out in paragraph (3), the following provisions shall apply—

- (a) a claim for unemployment benefit may be treated by an insurance officer as a claim for that benefit for a period, to be specified in his decision, not exceeding 21 days after the date of the claim;
- (b) on any claim so treated, benefit may be awarded as if the provisions of sub-paragraphs (b) and (c) of paragraph (2) and the provisions of paragraph (3) of regulation 12 applied.

(3) For the purposes of paragraph (2) the periods are—

- (a) in the case of Christmas and New Year holidays, a period beginning with the start of the twenty-first day before the first day of office closure and ending at midnight between the last day of office closure and the following day;
- (b) in the case of Good Friday and Easter Monday and in the case of any other public holiday, a period beginning with the start of the fourteenth day before the first day of office closure and ending at midnight between the last day of office closure and the following day.”.

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

Stanley Orme,

Minister for Social Security,
Department of Health and Social Security.

28th July 1977.

SCHEDULE

Regulation 2(1)

Regulation 12(2) of the principal regulations as amended by these Regulations

(2) While such a certificate has effect, the following provisions of this paragraph shall apply as respects claims for unemployment benefit (being, if the certificate is not of general effect, claims made in the case, class of case, area or areas, as the case may be, to which the certificate relates)—

(a) 1971 c. 80.

- (a) a claim for unemployment benefit *made—*
- (i) *while such certificate has effect; or*
 - (ii) *within 28 days before the date upon which the certificate is issued, whether or not benefit has already been allowed on such claim; or*
 - (iii) *while a previous certificate under this regulation had effect so as to allow that claim to be treated as made for a period after the date on which it was made,*
may be treated by an insurance officer as a claim for that benefit for a period, to be specified in his decision, not exceeding 13 weeks after the date of the claim;
- (b) on any claim so treated benefit may be awarded for the whole or part of the specified period *other than, in the case of a claim made before the certificate is issued, any part of the period for which benefit has already been allowed;*
- (c) if on any claim so treated benefit is awarded for part only of the specified period, further decisions awarding benefit for the remainder of that period, or any part of it may be given on the same claim.
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EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Social Security (Claims and Payments) Regulations 1975 so as to add to the claims for unemployment benefit which may be treated as made for a period after the date of the claim where the Secretary of State has certified normal administration of benefit to be impracticable or unduly difficult and so as to allow such claims made in the periods immediately before public and bank holidays to be treated as claims made to cover periods associated with such holidays falling after the date on which the claims are made.

A provision of the Social Security (Claims and Payments) Regulations 1975 as amended by these Regulations is set out in a Schedule to this instrument and the words added by these Regulations are shown in italics.

The Report of the National Insurance Advisory Committee dated 11th July 1977 on the draft of these Regulations referred to them is contained in Command Paper (Cmnd No. 6897) published by Her Majesty's Stationery Office.

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