

STATUTORY INSTRUMENTS

1980 No. 1943

SOCIAL SECURITY

The Social Security (Claims and Payments) Amendment
Regulations 1980

Made - - - 15th December 1980

Laid before Parliament 18th December 1980

Coming into Operation 8th January 1981

The Secretary of State for Social Services, in exercise of powers conferred upon him by section 79(3)(d) 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(b), hereby makes the following regulations:—

Citation and commencement

1. These regulations, which may be cited as the Social Security (Claims and Payments) Amendment Regulations 1980, shall come into operation on 8th January 1981.

Amendment of regulation 12 of the Social Security (Claims and Payments) Regulations 1979

2.—(1) In paragraph (5) of regulation 12 of the Social Security (Claims and Payments) Regulations 1979(c) (decision disallowing unemployment benefit treated as disallowing claim for period expiring within 12 months) after the words “disallowed on any grounds” there are inserted the words “other than failure to satisfy contribution conditions”.

(2) At the end of the said regulation 12 the following paragraph is added:—

“(6) Where a claim for unemployment benefit is disallowed on the grounds that—

- (a) the contribution condition in paragraph 1(2) of Schedule 3 to the Act is not satisfied, or
- (b) (although that contribution condition is satisfied) neither the contribution condition in paragraph 1(3) of the said Schedule 3, nor the requirements of regulations made under section 33(2) (partial satisfaction of contribution conditions), are satisfied,

(a) 1975 c. 14. (b) By virtue of regulation 2 of the Social Security (Advisory Committees) Transitional Regulations 1980 (S.I. 1980/1874), the reference to the Committee of a proposal to make regulations and their report are treated as a reference to, and report of, the Social Security Advisory Committee under section 10 of the Social Security Act 1980 (c. 30).
(c) S.I. 1979/628; the relevant amending instrument is S.I. 1979/781.

the disallowance decision shall, until the grounds for it have ceased to exist and subject to the provisions of section 104 (review of decisions), be treated also as a decision disallowing any claim for unemployment benefit made in respect of a day subsequent to the first day of the period to which the first mentioned claim relates.”

Patrick Jenkin,
Secretary of State for Social Services.

15th December 1980.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend regulation 12(5) of the Social Security (Claims and Payments) Regulations 1979 (disallowance of unemployment benefit treated as disallowance of any further claim for a period expiring within 12 months) by excluding from its scope decisions disallowing unemployment benefit on grounds of failure to satisfy contribution conditions. The Regulations add to regulation 12 a new paragraph providing for such a decision to be treated, until the grounds for it cease to exist, as a decision disallowing any claim for unemployment benefit for a subsequent period.

The Report of the National Insurance Advisory Committee, dated 17th November 1980, on the draft of these Regulations referred to them, together with a statement showing that the Regulations give effect to the Committee's recommendations, is contained in House of Commons Paper No. 76 (Session 1980/81) published by Her Majesty's Stationery Office.

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