1971. No. 224

[C]

SOCIAL SERVICES

Parity

ORDER IN COUNCIL*, DATED 16TH JULY 1971, MADE UNDER THE SOCIAL SERVICES (Parity) Act (Northern Ireland) 1971.

By the Governor in the Privy Council of Northern Ireland

GREY OF NAUNTON

WHEREAS by section 1 of the Social Services (Parity) Act (Northern Ireland) 1971(a) it is provided that, where both Houses of Parliament have passed resolutions resolving that a change corresponding to any change in the law of Great Britain relating to certain social services should be made in the law of Northern Ireland, the Governor of Northern Ireland may by Order in Council make provision for the purposes of securing that there are made in the law of Northern Ireland such changes as appear necessary or expedient to give effect to those resolutions:

AND WHEREAS by the National Insurance Act 1971(b) the Parliament of the United Kingdom has enacted provisions amending the National Insurance Acts 1965 to 1970, the National Insurance (Industrial Injuries) Acts 1965 to 1969 and the Industrial Injuries and Diseases (Old Cases) Acts 1967 and 1969 as to contributions and benefits; made provision for invalidity benefit for the chronic sick and for a retirement pension and age addition for certain persons over the age of eighty; made new provision in relation to polygamous marriages for the purposes of any of those Acts or of the Family Allowances Act 1965(c) and made provision for connected purposes:

AND WHEREAS on 29th June 1971 it was resolved by the Senate that changes. with such modifications as are necessary or expedient, corresponding to the changes to be made in the law of Great Britain by the aforesaid Act should be made by Order in Council in the law of Northern Ireland and on 1st July 1971 the House of Commons passed a resolution to the like effect:

Now, therefore, I, Ralph Francis Alnwick, Baron Grey of Naunton, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight Commander of the Royal Victorian Order, Officer of the Most Excellent Order of the British Empire, Governor of Northern Ireland, by virtue of the powers conferred on me by the said Social Services (Parity) Act, and in pursuance of the said resolutions, by and with the advice of the Privy Council of Northern Ireland, do hereby order as follows:

⁽a) 1971. c. 21 (N.I.). (b) 1971. c. 50.

⁽c) 1965. c. 53.

^{*}This Order was approved by a resolution of the House of Commons on 13th October 1971, and by a resolution of the Senate on 19th October 1971.

NATIONAL INSURANCE

Revision of contributions under Insurance Act

- 1.—(1) In the Insurance Act(d) for the provisions of Schedule 1 (weekly rate of contributions under that Act) there shall be substituted the provisions set out in Schedule 1 to this Order (being provisions revising the rates of contributions).
- (2) In section 4(1)(c) of the Insurance Act (aggregate amount of graduated contributions) for the proportion " $3\frac{1}{4}$ per cent." (aggregate contribution payable in respect of any amount, up to £12, by which a person's weekly remuneration exceeds £18) there shall be substituted the proportion "4.35 per cent." and for the sum of £12 there shall be substituted the sum of £24.
- (3) In section 10 of the Insurance Act (exception from liability for, and crediting of, contributions)—
 - (a) in subsection (1)(a)(iii) (regulations may except persons whose annual income does not exceed £312 or such higher amount as may be prescribed) for the sum of £312 there shall be substituted the sum of £468; and
 - (b) in subsection (2) (persons excepted under subsection (1)(a)(iii) to be credited with contributions only for the purposes of entitlement to unemployment benefit and sickness benefit) for the words "by virtue of subsection (1)(a)(iii)" there shall be substituted the words "by virtue only of sub-paragraph (iii) (and no other sub-paragraph) of subsection (1)(a)";

and the like substitution as is specified in sub-paragraph (a) shall be made in any regulations made under the said subsection (1)(a)(iii) which are in force at the commencement of this paragraph.

- (4) The contributions to be paid under the Insurance Act out of money provided by Parliament may include, in addition to the Exchequer supplements.—
 - (a) in respect of the financial year 1971-72, the sum of £1.4 million;
 - (b) in respect of the financial year 1972-73, the sum of £1.4 million; and
 - (c) in respect of each subsequent financial year the sum of £2.4 million;

and those contributions may be paid in such manner and at such times as the Ministry of Finance may determine.

Revision of benefits under Insurance Act

- 2.—(1) For the provisions of Schedule 3 to the Insurance Act (rates of benefit) there shall be substituted the provisions set out in Schedule 2 to this Order (being provisions giving effect to increases in the rates of benefit and to the following provisions of this Order).
 - (2) For section 29(7) of the Insurance Act there shall be substituted—
 - "(7) Subject to any regulations under section 43(a), where the earnings of a beneficiary who is less than five years over pensionable age have exceeded £9.50 for the calendar week ending last before any week for which he is entitled to a retirement pension, the weekly rate of his pension shall for the last-mentioned week be reduced—

- (a) where the excess is less than £2.00, by 5 new pence for each complete 10 new pence of the excess, and
- (b) where the excess is not less than £2.00, by 5 new pence for each complete 10 new pence of the excess up to £2.00 and by 5 new pence for each complete 5 new pence of any further excess;

but this subsection shall not affect the rate of the pension for the first week after the date of the beneficiary's retirement."

(3) In section 30(1) of the Insurance Act (increase of 5 new pence in a person's retirement pension in respect of every nine contributions paid by him after attaining pensionable age) for the words "by 5 new pence" there shall be substituted the words "by 6 new pence", and in paragraphs (a) and (b) of section 33(1) of that Act (retirement pension of the wife or widow of such a person to be increased by $2\frac{1}{2}$ new pence for every nine contributions) for the words " $2\frac{1}{2}$ new pence", in each place where they occur, there shall be substituted the words "3 new pence".

Invalidity benefit for chronic sick

- 3.—(1) Subject to the following provisions of this Article where, in respect of any period of interruption of employment, a person has been entitled to sickness benefit for 168 days, then—
 - (a) he shall cease to be entitled to that benefit for any subsequent day of incapacity for work falling within that period; and
 - (b) unless he is over pensionable age and has retired from regular employment, he shall be entitled to an invalidity pension for any day of incapacity for work in that period for which, by virtue of subparagraph (a), he is not entitled to sickness benefit;

and any day in the first three days of a period of interruption of employment which was a day of incapacity for work but for which the person concerned was not entitled to sickness benefit shall be treated for the purposes of this paragraph as a day on which he was so entitled.

- (2) Paragraph (1) shall not apply in relation to any day of incapacity for work (beginning after the expiry of the 168 days referred to in that paragraph) if the person concerned has paid, in respect of the period between his entry into insurance and that day, less than 156 contributions of the appropriate class, and accordingly, subject to the provisions of the Insurance Act, that person shall continue to be entitled to sickness benefit for that day.
- (3) Subject to paragraph (4), invalidity pension shall be payable at the weekly rate specified in relation thereto in Part I of Schedule 3 to the Insurance Act.
 - (4) If a person claiming invalidity pension for any day—
 - (a) is over pensionable age but has not retired from regular employment;
 and
 - (b) would on that day be entitled to a retirement pension if he had retired from regular employment on attaining pensionable age and made the necessary claim,

the invalidity pension shall be payable at the weekly rate at which, disregarding any increase by virtue of any provision of the Insurance Act (but having regard to paragraph (6)), the retirement pension would have been payable.

- (5) If a person is more than five years below pensionable age on the qualifying date in any period of interruption of employment then, in respect of every day of that period in respect of which he is entitled to an invalidity pension, he shall also be entitled to an invalidity allowance at the weekly rate specified in relation thereto in Part I of Schedule 3 to the Insurance Act: and for the purposes of invalidity allowance, "the qualifying date", in relation to a period of interruption of employment, means the first day in that period (whether before the making of this Order or later) which is a day of incapacity for work or such earlier day as may be prescribed.
- (6) Subject to paragraph (7), if a person is entitled to invalidity allowance in respect of—
 - (a) any day falling within the period of 13 weeks ending immediately before the day on which he attains pensionable age, or
 - (b) the last day before the beginning of that period,

the weekly rate of the retirement pension payable to him shall be increased by an amount equal to the weekly rate of the invalidity allowance to which he was entitled on that day.

- (7) Paragraph (6) shall not apply to the retirement pension payable to a woman by virtue of her husband's insurance except in a case where, apart from an election under section 32 of the Insurance Act, she would have been entitled to a retirement pension by virtue of her own insurance.
- (8) In a case where section 18(3) of the Insurance Act applies (rate of unemployment and sickness benefit for persons over pensionable age limited to amount of potential retirement pension) an increase in a retirement pension by virtue of paragraph (6) (unlike increases by virtue of other provisions) shall be taken into account for the purpose of determining the weekly rate of sickness benefit.
- (9) The amount payable by way of benefit under this Article for any day of incapacity for work shall be one-sixth of the appropriate weekly rate.

Increase of retirement pension or invalidity pension for adult dependants

- 4. After section 42 of the Insurance Act there shall be inserted the following section—
 - "42A.—(1) Subject to the provisions of this section, the weekly rate of a retirement pension or invalidity pension shall be increased by the amount respectively specified in relation to the benefit in question in column 5 of Part II of Schedule 3—
 - (a) for any period during which the beneficiary is residing with his wife or
 - (b) for any period during which the beneficiary is contributing to the maintenance of his wife at a weekly rate of not less than the said amount, and his wife is not engaged in any gainful occupation or occupations from which her weekly earnings exceed that amount.
 - (2) Subject to subsection (3), where the beneficiary is residing with his wife, and the earnings of his wife for the calendar week ending last before any week for which he is entitled to benefit under this section exceeded £9.50, the weekly rate of benefit under this section shall for the last-mentioned week be reduced—
 - (a) where the excess is less than £2.00, by 5 new pence for each complete 10 new pence of the excess, and

- (b) where the excess is not less than £2.00, by 5 new pence for each complete 10 new pence of the excess up to £2.00 and by 5 new pence for each complete 5 new pence of any further excess.
- (3) If regulations under section 43(a) make any alteration, or further alteration, in section 29(7) (which provides for a reduction in respect of earnings comparable to the reduction under subsection (2) of this section), those regulations shall make a corresponding alteration, or further alteration, in the reduction to be made under subsection (2).
- (4) Subject to the following provisions of this section, the weekly rate of a retirement pension or invalidity pension shall be increased by the amount specified as aforesaid for any period during which some female person (not being a child) has the care of a child or children of the beneficiary's family, or of a child or children treated as such for the purposes of section 39.
 - (5) Subsection (4) shall not apply if the beneficiary—
 - (a) is a man whose wife is entitled to a retirement pension by virtue of his insurance, or
 - (b) is a woman entitled to the pension by virtue of her husband's insurance,
- or in such other cases as may be prescribed.
- (6) Regulations may, in a case within subsection (4) in which the female person is residing with the beneficiary, and fulfils such further conditions as may be prescribed, authorise an increase of benefit under this section, but subject to a reduction in respect of the female person's earnings, other than such of her earnings from employment by the beneficiary as may be prescribed, comparable to the reduction under subsection (2).
 - (7) Subject to subsection (8), the weekly rate of invalidity pension shall be increased by the amount specified as aforesaid—
 - (a) for any period during which the beneficiary's husband is incapable of self-support and either they are residing together or she is contributing to his maintenance at a weekly rate not less than the amount so specified, or
 - (b) for any period during which the beneficiary has residing with him and is wholly or mainly maintaining any such relative as may be prescribed, being a relative in relation to whom such further conditions as may be prescribed are fulfilled.

In this subsection the expression "relative" does not include any person who is a child, but includes a person who is a relative by marriage or adoption and a person who would be a relative if some person born illegitimate had been born legitimate.

- (8) Where a person is entitled to invalidity pension at a weekly rate determined under Article 3(4) of the Social Services (Parity) Order (Northern Ireland) 1971—
 - (a) subsection (7) shall not apply, and
 - (b) if the beneficiary would have been entitled only by virtue of section 44 to the retirement pension by reference to which the weekly rate of the invalidity pension is determined, the amount of any increase under this section of that weekly rate shall be that which would have been applicable by virtue of section 44 in the case of such an increase of the weekly rate of that pension.

- (9) A beneficiary shall not be entitled for the same period to an increase of benefit under this section in respect of more than one person.
- (10) So far as this section relates to the amount of the increase of a retirement pension, it shall have effect subject to subsection (7) of section 29, and any reduction to be made under that subsection shall be made, so far as necessary—
 - (a) first against the amount of the benefit set out in Part I of Schedule 3 plus any increase under section 30,
 - (b) secondly against the increase under this section (and before any reduction to be made under subsection (2)),
 - (c) lastly against any increase under section 39."

Retirement pension and age addition for persons over eighty

- 5.—(1) A person who is over the age of 80 and satisfies such conditions as may be prescribed shall be entitled by virtue of this Article to a retirement pension payable for life at the weekly rate specified in relation thereto in Part I of Schedule 3 to the Insurance Act if—
 - (a) he is not entitled to a retirement pension by virtue of any provision of the Insurance Act or of paragraph (a) or paragraph (b) of section 1(1) of the Act of 1970(e) or
 - (b) he is entitled to a retirement pension by virtue of some provision of the Insurance Act and the pension is payable at a weekly rate which, disregarding any increase under Part II of Schedule 3 to that Act, is less than that specified in Part I of that Schedule in relation to a retirement pension payable by virtue of the Act of 1970.
 - (2) A person who is over the age of 80 and who
 - (a) is entitled to a retirement pension, or
 - (b) is not so entitled but fulfils such other conditions as may be prescribed,

shall be entitled to a further benefit, known as age addition, payable for life at the weekly rate specified in relation thereto in Part I of Schedule 3 to the Insurance Act.

- (3) Notwithstanding anything in section 47 of the Insurance Act (right to benefit conditional on the making of a claim) in such cases as may be prescribed age addition or a retirement pension payable by virtue of this Article may be paid without a claim being made for it.
- (4) Except for the purposes of section 16 of the Insurance Act (descriptions of benefit) references in Part II of that Act to a retirement pension (but not references to a benefit) do not include a retirement pension payable by virtue of this Article.

Calculation of earnings-related supplement and widow's supplementary allowance

6.—(1) In the application of subsection (4) of section 2 of the National Insurance (No. 2) Act (Northern Ireland) 1966(f) (calculation of weekly rate of earnings-related supplement) in respect of any day in a period of interruption of a person's employment in relation to which the relevant income tax year (as defined in that section) is the year 1972-73 or a subsequent year, for paragraph (a) of that subsection there shall be substituted the following paragraph—

- "(a) an amount equal to the aggregate of—
 - (i) one-third of the amount, up to £20, by which the claimant's average weekly earnings for the relevant income tax year exceeded £10, and
 - (ii) 15 per cent. of the amount, up to £12, by which those average weekly earnings exceeded £30; or".
- (2) After subsection (7) of section 2 of the National Insurance (No. 2) Act (Northern Ireland) 1966 (application of earnings-related supplement where injury benefit is payable under the Industrial Injuries Act(g)) there shall be inserted the following subsection:—
 - "(7A) Where, in the case of a person entitled to earnings-related supplement in respect of any day, a payment by way of unemployment benefit or sickness benefit does not, but a payment by way of injury benefit under section 11 of the Industrial Injuries Act does, fall to be made to that person in respect of that day, paragraph (b) of subsection (4) of this section shall have effect in his case with the substitution—
 - (a) for the reference to unemployment benefit or sickness benefit of a reference to injury benefit under section 11 of the Industrial Injuries Act, and
 - (b) for the reference to section 39(1) or 42(1) or (2) of the Insurance Act of a reference to section 17(1) or :8(1) of the Industrial Injuries Act.".
- (3) In the application of subsection (1) of section 4 of the National Insurance (No. 2) Act (Northern Ireland) 1966 (widow's supplementary allowance payable as an earnings-related increase of widow's allowance) in a case for which the appropriate income tax year (as defined in that section) is the year 1972-73 or a subsequent year—
 - (a) in paragraph (b) of that subsection for the words "nine pounds" there shall be substituted "£10", and
 - (b) for the words from "equal to one-third" to the end of the subsection there shall be substituted the words "equal to the aggregate of onethird of the amount, up to £20, of the excess referred to in paragraph (b) of this subsection and 15 per cent. of the amount, up to £12, by which the earnings referred to in that paragraph exceeded £30".

INDUSTRIAL INJURIES AND DISEASES

Revision of contributions under Industrial Injuries Act

7. In the Industrial Injuries Act for the provisions of Part I of Schedule 2 (weekly rates of contributions payable by insured persons and employers) there shall be substituted the provisions set out in Schedule 3 to this Order.

Benefits under Industrial Injuries Act

- 8.—(1) In the Industrial Injuries Act for the provisions of Schedule 3 (rate or amount of benefit etc.) there shall be substituted the provisions set out in Schedule 4 to this Order.
- (2) In section 5 of the Industrial Injuries Act after subsection (1) there shall be inserted—

⁽g) 1966. c. 9 (N.I.),

- "(1A) If a person dies at a time when-
 - (a) he is entitled to an increase under section 15 (constant attendance allowance) of a disablement pension of an amount not less than that which at that time is specified in head (a) of paragraph 6 of Schedule 3, or
 - (b) he would have been so entitled but for having received medical or other treatment as an in-patient in a hospital or similar institution,

he shall be regarded for the purposes of entitlement to death benefit as having died as a result of the injury in respect of which the disablement pension was payable.

The reference in this subsection to an increase under section 15 shall not be read as including a reference to any payment which is not by way of an increase of a disablement pension, and in particular does not include a reference to any payment for constant attendance under section 76(2)(b).".

- (3) In section 18 of the Industrial Injuries Act (increase of benefit in respect of adult dependants) after subsection (3) (power by regulations to withdraw increase of benefit where earnings of the wife or husband exceed the prescribed amount) there shall be inserted—
 - "(3A) Where the beneficiary is entitled to an unemployability supplement (to a disablement pension) and is residing with his wife, and the earnings of his wife for the calendar week ending last before any week for which he is entitled to benefit under this section exceeded £9.50, the weekly rate of benefit under this section shall for the last-mentioned week be reduced—
 - (a) where the excess is less than £2.00, by 5 new pence for each complete 10 new pence of the excess, and
 - (b) where the excess is not less than £2:00, by 5 new pence for each complete 10 new pence of the excess up to £2:00 and by 5 new pence for each complete 5 new pence of any further excess;

so however that if regulations under section 43(a) of the Insurance Act make any alteration or further alteration in section 29(7) of that Act, those regulations shall make a corresponding alteration in the reduction to be made under this subsection.

- (3B) Regulations under subsection (3)-
- (a) shall not restrict the amount of benefit in a case within subsection (3A),
- (b) may, in a case within subsection (1)(d) in which the female person is residing with a beneficiary entitled to unemployability supplement, and fulfils such further conditions as may be prescribed, authorise an increase of benefit under this section, but subject to a reduction in respect of the female person's earnings, other than such of her earnings from employment by the beneficiary as may be prescribed, comparable to the reduction in subsection (3A),
- (c) may, in connection with any reduction of benefit in respect of earnings, prescribe the method of calculating or estimating the earnings.".
- (4) In section 19(3) of the Industrial Injuries Act for the words "£1.50" (which is the weekly rate of pension payable to a widow when none of the higher rates in Schedule 3 to that Act applies) there shall be substituted "£1.80".

Increase of unemployability supplement

9. After section 13 of the Industrial Injuries Act there shall be inserted—

- "13A.—(1) If on the qualifying date the beneficiary was—
- (a) a man under the age of 60, or
 - (b) a woman under the age of 55,

the weekly rate of unemployability supplement shall be increased by the appropriate amount specified in paragraph 4A of Schedule 3.

- (2) In this section "the qualifying date" means, subject to the provisions of this section, the beginning of the first week for which the beneficiary qualified for unemployability supplement.
- (3) If the incapacity for work in respect of which unemployability supplement is payable forms part of a period of interruption of employment which has continued from a date earlier than the date fixed under subsection (2), the qualifying date means the first day in that period which is a day of incapacity for work, or such earlier day as may be prescribed.
 - (4) Subject to subsection (3), if there have been two or more periods for which the beneficiary was entitled to unemployability supplement, the qualifying date shall be in relation to unemployability supplement for a day in any one of those periods, the beginning of the first week of that period.

For the purposes of this subsection a break of more than 13 weeks in entitlement to unemployability supplement means that the periods before and after the break are different periods, and a break of 13 weeks or less shall be disregarded.

(5) In this section "period of interruption of employment" has the same meaning as it has for the purposes of unemployment benefit under the Insurance Act.".

Benefit payable to or in respect of in-patients

- 10.—(1) After section 30 of the Industrial Injuries Act there shall be inserted—
 - "30A. Regulations may provide—
 - (a) for adjusting benefit payable to or in respect of any person or the conditions for receipt of it where that person is undergoing medical or other treatment as an in-patient in a hospital or similar institution, and
 - (b) for suspending payment of benefit to a person during any period during which he is undergoing such treatment.".
- (2) In section 15(2) of the Industrial Injuries Act the words from "but" onwards (by virtue of which, while a person entitled to a disablement pension is receiving free treatment as an in-patient, no increase of the pension by reference to need for constant attendance may be made) shall cease to have effect.

Benefit under Workmen's Compensation (Supplementation) Act

11. In section 2(6)(c) of the Workmen's Compensation (Supplementation) Act(h) (maximum weekly rate of a lesser incapacity allowance supplementing workmen's compensation) for the words "£3.05" there shall be substituted "£3.65".

⁽h) 1966. c. 14 (N.I.),

MISCELLANEOUS AND SUPPLEMENTAL

Polygamous marriages

- 12.—(1) The Ministry of Health and Social Services may by regulations make provision for any purpose of the Insurance Act, the Industrial Injuries Act or the Family Allowances Act (Northern Ireland) 1966(i) as to the circumstances in which a marriage celebrated under a law which permits polygamy is to be treated as having the same consequences as a marriage celebrated under a law which does not.
 - (2) Regulations under this Article shall be subject to negative resolution.

Financial provisions

- 13.—(1) Notwithstanding anything in section 81(1)(b)(i) of the Insurance Act (benefits under that Act payable out of the National Insurance Fund) the benefits specified in paragraph (2) shall not be paid out of that Fund but may be defrayed out of money provided by Parliament.
 - (2) The benefits referred to in paragraph (1) are as follows—
 - (a) attendance allowance,
 - (b) widow's benefit payable by virtue of section 1 of the Act of 1970,
 - (c) retirement pension payable by virtue of section 1 of the Act of 1970 or Article 5, and
 - (d) age addition where the right to the benefit depends solely on entitlement to any such retirement pension as is referred to in subparagraph (c).
- (3) There shall be left out of account for the purposes of section 83(3) of the Insurance Act (reimbursement of certain expenses from the National Insurance Fund) such amount as the Ministry may estimate in accordance with any directions of the Ministry of Finance to be the amount of the expenses incurred by the Ministry or any government department in carrying into effect any provisions of this Order relating to the benefits specified in paragraph (2).

Minor and consequential amendments

14. Schedule 5, which contains minor and consequential amendments of the National Insurance Acts (Northern Ireland) 1966 to 1970, the Industrial Injuries Act and other enactments relating to benefit under those Acts shall have effect.

Interpretation

- 15. In this Order—
- "the Insurance Act" means the National Insurance Act (Northern Ireland) 1966;
- "the Industrial Injuries Act" means the National Insurance (Industrial Injuries) Act (Northern Ireland) 1966;
- "the Workmen's Compensation (Supplementation) Act" means the Workmen's Compensation (Supplementation) Act (Northern Ireland) 1966;
- "the Act of 1970" means the National Insurance (Old Persons' and Widows' Pensions and Attendance Allowance) Act (Northern Ireland) 1970.

Citation, etc.

16.—(1) This Order may be cited as the Social Services (Parity) Order (Northern Ireland) 1971, and—

- (a) shall be included among the Acts which may be cited together as the National Insurance Acts (Northern Ireland) 1966 to 1971; and
- (b) shall be included among the Acts which may be cited together as the National Insurance (Industrial Injuries) Acts (Northern Ireland) 1966 to 1971; and
- (c) may be cited together with the Workmen's Compensation (Supplementation) Acts (Northern Ireland) 1966 to 1969 as the Workmen's Compensation (Supplementation) Acts (Northern Ireland) 1966 to 1971.
- (2) So far as the provisions of this Order other than Article 12 relate to the subject-matter of any of the following enactments, those provisions shall be construed as one with—
 - (a) the Insurance Act;
 - (b) the Industrial Injuries Act; or
 - (c) the Workmen's Compensation (Supplementation) Act.
- (3) Schedule 6 shall have effect with respect to the commencement of this Order and with respect to the transitory matters dealt with in that Schedule; and, subject to any transitional provisions in Schedule 6, the enactments mentioned in Schedule 7 are hereby repealed to the extent specified in column 3 of that Schedule.

Given at Government House, Hillsborough, this 16th day of July 1971.

W. K. Fitzsimmons
W. J. Long
John D. Taylor

SCHEDULE 1

Provisions to be substituted in Schedule 1 to Insurance Act

RATES OF FLAT-RATE CONTRIBUTIONS

PART I:
Employed persons

	Weekly rate	of contribution
Description of employed person	Unless by virtue of a non- participating employment	If by virtue of a non- participating employment
1	2	3
Men between the ages of 18 and 70 (other	£	£
than men over the age of 65 who have retired from regular employment)— Earning remuneration at a weekly rate		
exceeding £6	0.672	0.792
of £6 or less	0.402	0.462
Women between the ages of 18 and 65 (other than women over the age of 60 who have retired from regular employment)— Earning remuneration at a weekly rate		
exceeding £6	0.585	0.665
of £6 or less	0.335	0.385
Boys under the age of 18	0.461	
Girls under the age of 18	0.381	,

For the purposes of this Part and Part II of this Schedule a person shall be deemed to be earning remuneration at a weekly rate of £6 or less if, but only if, his remuneration does not include the provision of board and lodging by the employer and the rate of the remuneration neither exceeds, nor is deemed in accordance with regulations made under section 106(5) to exceed, £6 a week, and to be earning remuneration at a weekly rate exceeding £6 in any other case.

PART II

Employers

-	Weekly rate o	f contribution
Description of employed person	Unless by virtue of a non-participating employment	If by virtue of a non- participating employment
1	2	3
Men over the age of 18— Earning remuneration at a weekly rate	£	£
exceeding £6 or not being liable to pay a contribution as an employed person. Earning remuneration at a weekly rate of	0.744	0.864
£6 or less and being liable to pay a contribution as an employed person. Women over the age of 18—	1.014	1·194
Earning remuneration at a weekly rate exceeding £6 or not being liable to pay a contribution as an employed person. Earning remuneration at a weekly rate of £6 or less and being liable to pay a	0.638	0.718
contribution as an employed person. Boys under the age of 18	0·888 0·507 0·417	0·998 — —

For the purposes of this Part of this Schedule a person over pensionable age, not being an insured person, shall be treated as an employed person if he would be an insured person were he under pensionable age and would be an employed person were he an insured person.

PART III
Self-employed persons

Description of self-employed person	Weekly rate of contribution
1	2
Man between the core of 10 and 70 (other than most curit the	£
Men between the ages of 18 and 70 (other than men over the age of 65 who have retired from regular employment). Women between the ages of 18 and 65 (other than women over	1.333
the age of 60 who have retired from regular employment).	1.117
Boys under the age of 18	0.762
Girls under the age of 18	0.642

PART IV

Non-employed persons

Description of non-empl	Weekly rate of contribution					
1	2					
				٠,		£
Men between the ages of 18 and 65.			. *	•		1.033
Women between the ages of 18 and 60.	:	:				0.807
Boys under the age of 18	•					0.592
Girls under the age of 18	• • • • •		•	•	'	0.462

SCHEDULE 2

Provisions to be substituted in Schedule 3 to Insurance Act

RATES OF PERIODICAL BENEFITS AND OF INCREASES FOR DEPENDANTS

PART I

Weekly Rates of Periodical Benefits

Description of benefit	Weekly rate
1. Unemployment or sickness benefit under section 18(2)	(a) in the case of a person over the age of 18, not being a married woman £6.00 (b) in the case of a person under the age of 18,
	not being a married woman— (i) during any period during which that person is entitled to an increase of benefit in respect of a child or adult dependant
	(c) in the case of a married woman over the age of 18—
	(i) during any period during which she is entitled to an increase of benefit in respect of her husband or during which she is not residing with her husband nor is he contributing to her maintenance at not less than the relevant rate £6.00 (ii) during any other period £4.20
	(d) in the case of a married woman under the age of 18—
·	(i) during any period during which she is entitled to an increase of benefit in respect of her husband or during which she is entitled to an increase of benefit in respect of a child or an adult dependant other than her husband and she is not residing with her husband nor is he contributing to her maintenance at not less than the relevant rate
2. Invalidity pension	£6·00

Description of benefit	Weekly rate
3. Invalidity allowance	(a) if on the qualifying date the beneficiary was under the age of 35, or if that date fell before 5th July 1948 £1.00 (b) if head (a) does not apply and on the qualifying date the beneficiary was under the age of 45 £0.60 (c) if heads (a) and (b) do not apply, and on the qualifying date the beneficiary was a man under the age of 60, or a woman under the age of 55 £0.30
4. Attendance allowance	£4·80
5. Maternity allowance	£6·00
6. Widow's allowance	£8·40
7. Widowed mother's allowance	£6·00
8. Widow's pension	£6·00
9. Guardian's allowance	£2·95
10. Retirement pension payable by virtue of this Act and not by virtue of any enactment directed to be construed as one with this Act	(a) where the pension is payable to a woman by virtue of her husband's insurance and he is alive £3.70 (b) in any other case £6.00
11. Retirement pension payable by virtue of paragraph (a) or paragraph (b) of section 1(1) of the Act of 1970	 (a) except where head (b) applies . £3.60 (b) where the pension is payable to a married woman who has not, at any time since she first became entitled to the pension, ceased to be a married woman . £2.20
12. Retirement pension payable by virtue of Article 5 of the Social Services (Parity) Order (Northern Ireland) 1971	 (a) except where head (b) applies £3 60 (b) where the pension is payable to a married woman who has not, at any time since she first became entitled to the pension, ceased to be a married woman £2 20
13. Age addition	£0·25
14. Child's special allowance .	£2.95

In paragraphs 1(c)(i) and 1(d)(i) "the relevant rate" means a weekly rate equal to the difference under this Schedule between the rates of benefit applying if the husband is, and if he is not, contributing to the wife's maintenance at not less than the relevant rate.

PART II

Weekly Rates of Increases for Dependants

Benefit to which increase applies	Increase for only, elder or eldest quali- fying child	Increase for second quali- fying child	Increase for each addi- tional quali- fying child	Increase for adult depen- dant (where payable)
1	2	3	4	5
1. Unemployment or sickness benefit under subsection (2) or subsection (3) of section 18, except where payable at the rate specified in paragraph 1(b)(ii) or		£	£	£
paragraph $1(d)$ (iii) of Part I .	1.85	0.95	0.85	3.70
2. Invalidity pension	2.95	2.05	1.95	3.70
3. Maternity allowance	1.85	0.95	0.85	. 3.70
4. Widow's allowance	2.95	2.05	1.95	
5. Widowed mother's allowance.	2.95	2.05	1.95	
6. Retirement pension payable by virtue of this Act and not by virtue of any enactment directed to be construed as one with this Act		2.05	1.95	3:70
7. Retirement pension payable by virtue of paragraph (a) or paragraph (b) of section 1(1) of the Act of 1970.	<i>!</i>	2.05	1.95	2·20
8. Child's special allowance		2.05	1.95	<u>-</u>
*			1	

Where any unemployment or sickness benefit is payable at a weekly rate determined under section 18(3), column 5 shall have effect subject to section 42(3)(b) and where an invalidity pension is payable at a weekly rate determined under Article 3(4) of the Social Services (Parity) Order (Northern Ireland) 1971, the said column 5 shall have effect subject to section 42A(8)(b).

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Article 7

SCHEDULE 3

Provisions to be substituted in Part I of Schedule 2 to Industrial Injuries. Act

WEEKLY RATES OF CONTRIBUTIONS PAYABLE BY INSURED PERSONS AND EMPLOYERS

	Weekly rate of	contribution
Class of insured person to which rate relates	By the insured person	By the employer
1	2	3
	£	£
Men over the age of 18	0.05	0.06
Women over the age of 18	0.04	0.05
Boys under the age of 18	0.03	0.03
Girls under the age of 18.	0.02	0.03

SCHEDULE: 4

Provisions to be substituted in Schedule 3 to Industrial Injuries Act

RATE OR AMOUNT OF BENEFIT, ETC.

	Description of benefit, etc.	Amount
	Injury benefit under s. 11 (weekly rate)	(a) for any period during which the beneficiary is over the age of 18 or is entitled to an increase of benefit in respect of a child or adult dependant . £8.75 (b) for any period during which the beneficiary is not over the age of 18 and not entitled as aforesaid £5.50
2.	Maximum disablement gratuity under s. 12(4)	£660
3.	Disablement pension under s. 12(6) (weekly rate)	For the several degrees of disablement set out in column 1 of the following Table, the respective amounts in that Table, using— (a) column 2 for any period during which the beneficiary is over the age of 18
B		years or is entitled to an increase of benefit in respect of a child or adult dependant; (b) column 3 for any period during which the beneficiary is not over the age of 18 and not entitled as aforesaid.

TABLE

Degree of disablement								Am	ount	
:				1.					2	. 3
,			per	cent.		-			£	£
00.						. •		.	10.00	6.00
90.									9.00	5.40
30 .								.]	8.00	4.80
70 								.]	7.00	4.20
50 .									6.00	3.60
50.								.	5.00	3.00
40 .					_		•	.	4.00	2.40
30 .					·			.	3.00	1.80
20 .	•		-	·					2.00	1.20

·	Description of benefit, etc.	Amount
4.	Unemployability supplement under s. 13 (increase of weekly rate of disablement pension)	£6·00
4A.	Increase under section 13A of unemployability supplement (early onset of incapacity for work)	 (a) if on the qualifying date the beneficiary was under the age of 35, or if that date fell before 5th July 1948. (b) if head (a) does not apply and on the qualifying date the beneficiary was under the age of 45. (c) if heads (a) and (b) do not apply, and on the qualifying date the beneficiary was a man under the age of 60, or a woman under the age of 55. £0.30
	Maximum increase under s. 14 of weekly rate of disablement pension in cases of special hardship	£4.00 or the amount (if any) by which the weekly rate of the pension, apart from any increase under s. 15, 17 or 18 or under section 6 of the National Insurance (No. 2) Act (Northern Ireland) 1966, falls short of £10.00, whichever is the less.
6.	Maximum increase under s. 15 of weekly rate of disablement pension where constant attendance needed	(a) except in cases of exceptionally severe disablement £4.00 (b) in any case £8.00
6A.	Increase under s. 6(1) of National Insurance (No. 2) Act (Northern Ireland) 1966 of disablement pension (excep- tionally severe disablement)	£4·00
7.	Increase under s. 17 of weekly rate of benefit in respect of children, except where bene- ficiary is entitled to unemploy- ability supplement	 (a) in respect of only, elder or eldest child of beneficiary's family £1.85 (b) in respect of second child of beneficiary's family £0.95 (c) in respect of each additional child of beneficiary's family £0.85
7A.	Increase under s. 17 of weekly rate of disablement pension in respect of children where beneficiary is entitled to unemployability supplement	 (a) in respect of only, elder or eldest child of beneficiary's family £2.95 (b) in respect of second child of beneficiary's family £2.05 (c) in respect of each additional child of beneficiary's family £1.95
8.	Increase under s. 18 of weekly rate of injury benefit or disablement pension in respect of adult dependant	£3·70

De	escription of benefit, etc.	Amount
s.	Vidow's pension under 19— (a) weekly rate where pay-	
	able by virtue of s. $\overline{19(3)}$ (a)-(e);	£6·55
	(b) maximum higher weekly rate for prescribed period after deceased's death.	£8·40
	/idower's pension under 20 (weekly rate)	£6·55
. re	llowance under s. 21 in spect of children of de- ased's family—	
	(a) weekly rate of allowance under s. 21(1)	(i) in respect of only, elder or eldest qualify- ing child £1.85
		(ii) in respect of second qualifying child £0.95
		(iii) in respect of each additional qualifying child £0.85
	(b) increase under s. 21(2)	£1·10
of pa	faximum under s. 29(1)(a) aggregate of weekly benefit aggregate for successive accients	(a) for any period during which the beneficiary is over the age of 18 or is entitled to an increase of benefit in respect of a child or adult dependant . £10.00
		(b) for any period during which the beneficiary is not over the age of 18 and not entitled as aforesaid £6.00

SCHEDULE 5

Minor and Consequential Amendments

Law Reform (Miscellaneous Provisions) Act (Northern Ireland) 1948

1. In section 3(1) of the Law Reform (Miscellaneous Provisions) Act (Northern Ireland) 1948(j) after the word "sickness" there shall be inserted the words "or invalidity".

Insurance Act

- 2.—(1) In section 16 of the Insurance Act, after paragraph (b) there shall be inserted the following paragraphs:
 - "(bb) invalidity benefit, consisting of—
 (i) invalidity pension;
 (ii) invalidity allowance;
 - (bbb) attendance allowance:".
- (2) After paragraph (f) of that section there shall be inserted the following paragraph:-
 - "(ff) age addition;".
 - 3. In the Insurance Act—
 - (a) the words "or invalidity benefit" shall be inserted after the words "sickness benefit", in each place where they occur, in sections 19(1), 21(4), 21(5), 53(1) and 66(1)(b) and in paragraph 11(1) of Schedule 9;
 - (b) the words "and invalidity benefit" shall be inserted after the words "sickness benefit", in each place where they occur, in sections 17(1), 19(2), 51(2)(a) and 96(3)(c);
 - (c) the words "an invalidity pension" shall be inserted after the words "sickness benefit" in each place where they occur in sections 39(1) and 40(3);
 - (d) the words "or an invalidity pension" shall be inserted after the words "sickness benefit" in each place where they occur in section 42(7).
- 4.—(1) In the following provisions of the Insurance Act, for the words "column 2" there shall be substituted the words "Part I": sections 18(2), 23(1), 25(1), 26(1), 27(1), 28(1), 29(1), 31(1) and 37.
- (2) In section 39 of the Insurance Act, in subsection (1) for the words "column 3, 4 or 5" there shall be substituted the words "column 2, 3 or 4 of Part II", in subsection (3) for the words "column 3, 4 or 5" there shall be substituted the words "column 2, 3 or 4", and in subsection (4) for the words "column 4 or 5" there shall be substituted the words "column 3 or 4".
- (3) In section 42(1) of the Insurance Act for the words "column 6" there shall be substituted the words "column 5 of Part II".
- 5.—(1) In section 42(2) of the Insurance Act (increase of unemployment or sickness benefit in certain circumstances) for paragraph (a) (which relates to a period during which the beneficiary is wholly or mainly maintaining her husband and he is incapable of self-support) there shall be substituted the following paragraph-
 - "(a) for any period during which the beneficiary's husband is incapable of self-support and either they are residing together or she is contributing to his maintenance at a weekly rate of not less than the amount so specified; or".
- (2) In section 54(3) of the Insurance Act (provisions as to maintenance) for the words "or 42(1)(a)(ii)" there shall be substituted the words "42(1)(a)(ii) or 42A(1)(b)".

Industrial Injuries Act

- 6.—(1) In section 17(1), of the Industrial Injuries Act (increase of benefit in respect of children) after "7" there shall be inserted "and 7A".
- (2) In section 29(2) of the Industrial Injuries Act (adjustments for successive accidents) for the words "under the age of seventeen" there shall be substituted the words "under the age of eighteen".
- 7. In section 18 of the Industrial Injuries Act for subsection (1)(b) there shall be substituted—
 - "(b) the beneficiary's husband is incapable of self-support and either they are residing together or she is contributing to his maintenance at a weekly rate of not less than the amount of the said increase; or".

National Insurance (No. 2) Act (Northern Ireland) 1966

- 8.—(1) In section 6(1)(a) of the National Insurance (No. 2) Act (Northern Ireland) 1966 (increase of disablement pension in cases of exceptionally severe disablement) for the words from "or but" to "would be" there shall be substituted the words "or, but for having received medical or other treatment as an in-patient in a hospital or similar institution, would be".
- (2) In the said section 6(1) for the words "by three pounds" there shall be substituted the words "by the amount set out in paragraph 6A of Schedule 3 to the Industrial Injuries Act".

Supplementary Benefits &c. Act (Northern Ireland) 1966

- 9.—(1) In section 17(1) of the Supplementary Benefits &c. Act (Northern Ireland) 1966(k) in paragraph (a) after the word "sickness" there shall be inserted the word "invalidity" and after the word "allowance", in the last place where it occurs, there shall be inserted the words "age addition" and in each of paragraphs (a) and (b) of that section after the word "1966" there shall be inserted the words "to 1971".
- (2) In paragraph 24 of Schedule 2 to the said Act of 1966, in subparagraph (2)(a) for the words "column 3 or 4" there shall be substituted the words "column 2 or 3 of Part II"; in sub-paragraph (2)(b) of that paragraph for the words "column 2" there shall be substituted the words "Part I" and for the words "column 4" there shall be substituted the words "column 3 of Part II"; and in sub-paragraph (3)(a) for the words "column 5" there shall be substituted the words "column 4 of Part II".

National Insurance &c. (No. 2) Act (Northern Ireland) 1969

- 10. In paragraph 5(2) of Schedule 6 to the National Insurance &c. (No. 2) Act (Northern Ireland) 1969(1) (general transitional provisions) after paragraph (a) there shall be inserted—
 - "(aa) section 42A(1)(b) of that Act, and any regulations made by virtue of subsection (5) of the said section 42A; and".

Act of 1970

- 11.—(1) In section 1 of the Act of 1970, in subsection (1), in each of paragraphs (a) and (b), for the words from "such weekly rate" to "prescribed" there shall be substituted the words "the weekly rate specified in relation thereto in Part I of Schedule 3 to the principal Act"; and subsection (2)(b) of that section shall be omitted.
- (2) In section 4(2) of that Act for the words "of £4" there shall be substituted the words "specified in relation thereto in Part I of Schedule 3 to the principal Act".

Payment of benefit to third party

12. Regulations under the Insurance Act or the Industrial Injuries Act may make provision as to the circumstances in which any benefit under the Act concerned which is payable to one person may be paid to another on his behalf.

SCHEDULE 6

Commencement and Transitory Provisions

Commencement of this Order

- 1.—(1) The provisions of this Order shall not come into force until such date or dates as the Minister may by order appoint for those provisions or any or them.
- (2) If different days are appointed under this paragraph for different purposes of the relevant provisions (that is to say, the provisions to which sub-paragraph (1) applies) or for the same purposes in relation to different cases or classes of case or for different provisions, then an order under this paragraph may contain such incidental or supplemental provisions as appear to the Minister to be necessary or expedient as respects the period or any part of the period when the relevant provisions are to have a partial operation only, and, in particular, may contain provisions modifying and supplementing, in relation to the period to which the order is to apply, the relevant provisions or the provisions of any Act amended by this Order.
- (3) Section 101(3) of the Insurance Act (which provides for orders under that Act to be subject to negative resolution) shall not apply to any order under this paragraph, but any such order shall be laid before Parliament after being made.

Transitory provisions

Article 2(3)

2. Article 2(3) shall not affect the operation of section 30(1) or paragraphs (a) and (b) of section 33(1) of the Insurance Act with respect to contributions paid for contribution weeks beginning before the date on which Article 2(3) comes into force; but regulations may make transitional provision for cases where the relevant contributions so paid do not make up nine or a multiple of nine contributions.

Article 6(2)

3. Where a person who is entitled to injury benefit under section 11 of the Industrial Injuries Act in respect of any day after the coming into force of Article 6(2) of this Order has as a result of the relevant injury been continuously incapable of work for a period which includes that day and which began before the coming into force of Article 6(2), that Article shall not apply in his case in respect of that day.

Article 8(2)

4. The amendment by this Order of section 5 of the Industrial Injuries Act shall not affect death benefit where the death occurred before the coming into force of Article 8(2).

Article 9

- 5.—(1) Section 13A of the Industrial Injuries Act shall not apply to a beneficiary if on the date that Article 9 comes into force the beneficiary—
 - (a) is a man who is over the age of 65, or
 - (b) is a woman who is over the age of 60.
- (2) The cases to which the said section 13A applies shall include cases where the qualifying date fell before the coming into force of Article 9.

SCHEDULE 7

Repeals .

(1) the n", and
"but"
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EXPLANATORY NOTE

(This note is not part of the Order, but is intended to indicate its general purport.)

This Order makes changes in the National Insurance Acts (Northern Ireland) 1966 to 1970, the National Insurance (Industrial Injuries) Acts (Northern Ireland) 1966 to 1969 and the Workmen's Compensation (Supplementation) Acts (Northern Ireland) 1966 to 1969, and enables provision to be made for purposes of the Family Allowances Act (Northern Ireland) 1966, corresponding to the changes made in, and the provision enabled to be made for purposes of, corresponding enactments in Great Britain under the National Insurance Act 1971.