

**1975 No. 566**

**SOCIAL SECURITY**

**The Social Security (Miscellaneous Amendments  
and Transitional Provisions) Regulations 1975**

<i>Made</i> - - - -	<i>3rd April 1975</i>
<i>Laid before Parliament</i>	<i>4th April 1975</i>
<i>Coming into Operation</i>	<i>6th April 1975</i>

The Secretary of State for Social Services, in exercise of powers conferred by sections 28(4), 30(3), 39(4)(a) and 142 of the Social Security Act 1975(a) and section 2 of, and paragraphs 3, 5 and 9 of Schedule 3 to, the Social Security (Consequential Provisions) Act 1975(b) and of all other powers enabling her in that behalf, without having referred any proposals on the matter to the National Insurance Advisory Committee since it appears to her that by reason or urgency it is inexpedient to do so, hereby makes the following regulations:

**Citation, commencement and interpretation**

1.—(1) These regulations may be cited as the Social Security (Miscellaneous Amendments and Transitional Provisions) Regulations 1975, and shall come into operation on 6th April 1975.

(2) The rules for the construction of Acts of Parliament contained in the Interpretation Act 1889(c) shall apply for the purposes of the interpretation of these regulations as they apply for the purposes of the interpretation of an Act of Parliament.

[Regulation 2 revoked by regulation 20 of and Schedule 2 to S.I. 1979/643 as from 10.7.79.]

[Regulation 3 revoked by regulation 18 of and Schedule 2 to S.I. 1979/642 as from 10.7.79.]

[Regulation 4 omits words from regulation 14(5)(b) of S.I. 1974/2192.]

[Regulation 5 revoked by regulation 3(1) of S.I. 1976/1003 as from 6.9.76.]

**Transitional provisions relating to certain persons who are or have been outside Great Britain**

6.—(1) Where the right of any person to any benefit under the Social Security Act 1975 falls by virtue of any regulations made under section 100(1) of, and Schedule 26 to, the Social Security Act 1973(d) or section 2(1) of, and Schedule 3 to, the Social Security (Consequential Provisions) Act 1975 to be determined by

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(a) 1975 c.14.  
(b) 1975 c.18.  
(c) 1889 c.63.  
(d) 1973 c.38.

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reference to any provision of the National Insurance Acts 1965 and 1974, or of any regulation made under those Acts, that right shall be determined by reference to that provision as modified in relation to him by an Order in Council made or deemed to be made<sup>(a)</sup> under section 105 of the National Insurance Act 1965 (reciprocity with countries outside the United Kingdom).

(2) Where but for the repeal of the National Insurance Acts 1965 to 1974 the right of any person who was not insured under the said Act of 1965, being a person who attained the age of 16 before 6th April 1975, to any benefit under those Acts would have fallen to be determined by reference to a provision of those Acts or any regulation made under them as modified by such an Order in Council, his right to benefit under the Social Security Act 1975 shall be determined as if he were a person who was insured under the said Act of 1965.

(3) In relation to any person specified in paragraph 3 or 5 of Schedule 3 to the Social Security (Consequential Provisions) Act 1975 the provisions of the Social Security Act 1975 shall, with a view to securing continuity between the Act and the National Insurance Act 1965, have effect subject to modifications corresponding to those to which the said Act of 1965 would have been subject in his case by virtue of any Order in Council made or deemed to be made under section 105 of the said Act of 1965 had that Act continued in force.

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

*Brian O'Malley*

3rd April 1975

Minister of State, Department of Health and Social Security

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**EXPLANATORY NOTE**

*(This Note is not part of the Regulations)*

These Regulations contain provisions relating to the transition from the National Insurance Act 1965 to the Social Security Act 1975 when the latter Act comes into force on 6th April 1975.

Regulations 2 to 4 contain provisions which continue, for the purposes of the 1975 Act, rules applying under the 1965 Act in cases where a person's retirement is deferred and make other minor and drafting amendments to regulations under the Social Security Act 1973.

Regulations 5 and 6 continue, for the purposes of the 1975 Act, the effect of joint arrangements made with Northern Ireland and reciprocal arrangements made with other countries.

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(a) See National Insurance Act 1965, section 117(1).