
 STATUTORY INSTRUMENTS

1982 No. 1045

IRON AND STEEL

**The European Communities (Iron and Steel Employees
 Re-adaptation Benefits Scheme) (Amendment)
 Regulations 1982**

<i>Made</i>	- - -	28th July 1982
<i>Laid before Parliament</i>		28th July 1982
<i>Coming into Operation</i>		24th August 1982

Whereas the Commission of the European Communities have agreed to provide non-repayable aid towards the payment to or for the benefit of workers in the steel industry in the United Kingdom of such allowances and other payments as are provided for in Article 56(2) of the Treaty establishing the European Coal and Steel Community signed at Paris on 18th April 1951(a), the provision of which aid is conditional upon payment by the Government of the United Kingdom of a contribution to those payments of not less than the amount of that aid:

Now therefore the Secretary of State, being the designated Minister under the European Communities (Designation) Order 1972(b), in exercise of his powers under section 2(2) of the European Communities Act 1972(c), hereby makes the following Regulations:—

1. These Regulations may be cited as the European Communities (Iron and Steel Employees Re-adaptation Benefits Scheme) (Amendment) Regulations 1982 and shall come into operation on 24th August 1982.

2. The Scheme set out in Schedule 1 to the European Communities (Iron and Steel Employees Re-adaptation Benefits Scheme) Regulations 1979(d) is hereby further amended—

(a) in Article 1, by the substitution for the definition of “unemployed person” of the following definition—

“unemployed person” means a person who is unemployed and is available to be employed or would be so available if he were not stated to be incapable of work—

(i) by a doctor’s statement given in accordance with the Social Security (Medical Evidence) Regulations 1976(e); or

(a) Article 56(2) is set out in O.J.No. 33, 16.5.60, p. 781/60.

(b) S.I. 1972/1811. (c) 1972 c.68.

(d) S.I. 1979/954; these Regulations were amended by S.I. 1980/1912, 1981/1102, 1776.

(e) S.I. 1976/615, as amended by S.I. 1982/699. There are other amendments not relevant for the purposes of these Regulations.

- (ii) in respect of a spell of incapacity (within the meaning of regulation 5 of those Regulations) that lasts for less than 8 days or any of the first 7 days of a longer spell of incapacity, by himself in a self-certificate given pursuant to that regulation;
- (b) in Article 2, by the insertion of the words “in the United Kingdom” after “full-time employment”;
- (c) in Article 3(3)(a), by the deletion of the words “certified” and “for which sickness benefit is payable by his employer”;
- (d) in Article 7—
 - (i) in paragraph (1), by the insertion of the words “in the United Kingdom” after “an unemployed person”;
 - (ii) in paragraph (2), by the deletion of the words “, failed to register as an unemployed person,”;
 - (iii) in paragraph (4), by the substitution for the words “24 weeks” of the words “26 weeks”;
 - (iv) in paragraph (4), in paragraph (a) of the proviso, by the substitution for the words “had he registered as an unemployed person” of the words “had he been available to be employed”;
 - (v) in paragraph (5), by the substitution for the words “106 weeks” of the words “104 weeks” and by the substitution for the words “the 107th week” of the words “the 105th week”; and
 - (vi) in paragraph (6), by the substitution for the words “two weeks” of the words “four weeks”;
- (e) in Article 8—
 - (i) by the substitution for paragraph (1)(iii) of the following sub-paragraph—

“(iii) the gross amount of any pay or training allowance which he receives in respect of that week;”;
 - (ii) by the substitution for paragraph (2)(b)(i) of the following sub-paragraph—

“(i) one thirteenth of the total amount deducted in respect of income tax from the total of the employee’s previous earnings in the thirteen weeks immediately preceding the fourth week before the relevant date; and”;
 - (iii) by the deletion from paragraph (8)(b)(a) of the words “Great Britain”; and

(a) As inserted by regulation 2(h) of S.I. 1980/1912.

(f) in Article 17—

- (i) in paragraph (1)(a), by the substitution for the words “not registered” to “or injury” of the words “is not stated to be incapable of work in accordance with the provisions of the Social Security (Medical Evidence) Regulations 1976”; and
- (ii) in paragraph (2), by the substitution for the words “certified as” to “or injury” of the words “stated to be incapable of work as mentioned in paragraph (1)(a) above”.

Norman Lamont,
Minister of State,
Department of Industry.

28th July 1982.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations further amend the European Communities (Iron and Steel Employees Re-adaptation Benefits Scheme) Regulations 1979 which set out a scheme providing for the payment of benefits to certain steel workers who are made redundant or transferred to new work at lower rates of pay as a result of events which come within the terms of Article 56(2) of the ECSC Treaty.

The principal amendments—

- (1) remove the requirement for an unemployed person to register for employment in order to qualify for scheme benefits and require instead that he is available to be employed (Regulation 2(a) and, consequentially, (d)(ii) and (iv));
- (2) provide for the same purpose that in respect of a spell of incapacity for work that lasts for less than 8 days or any of the first 7 days of a longer spell of incapacity, a person may certify himself as incapable of work (Regulation 2(a) and, consequentially, (f)(i) and (ii)); and
- (3) require as a condition of eligibility that a steel employee be employed in the United Kingdom (and not, as previously, anywhere) for 52 weeks prior to becoming redundant or transferred (Regulation 2(b)).

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