
STATUTORY INSTRUMENTS

1996 No. 425

**The Social Security (Industrial Injuries and Diseases)
(Miscellaneous Amendments) Regulations 1996**

Amendment of the Social Security (Industrial Injuries) (Regular Employment) Regulations 1990

6.—(1) The Social Security (Industrial Injuries) (Regular Employment) Regulations 1990⁽¹⁾ shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 1 (citation, commencement and interpretation) paragraph (2) shall be omitted.

(3) For regulation 2 (meaning of “regular employment”) there shall be substituted the following regulations—

“Meaning of “regular employment”

2. For the purposes of paragraph 13 of Schedule 7 to the Social Security Contributions and Benefits Act 1992, “regular employment” means gainful employment—

- (a) under a contract of service which requires a person to work for an average of 10 hours or more per week in any period of five consecutive weeks, there being disregarded for this purpose any week when the contract subsists during which he is absent from that employment in circumstances where such absence is permitted under the contract (for example in the case of sickness or taking leave); or
- (b) which a person undertakes for an average of 10 hours or more per week in any period of five consecutive weeks.

Circumstances in which a person over pensionable age is to be regarded as having given up regular employment

3. Unless he is entitled to reduced earnings allowance for life by virtue of paragraph 12(1) of Schedule 7 to the Social Security Contributions and Benefits Act 1992, a person who has attained pensionable age⁽²⁾ shall be regarded as having given up regular employment at the start of the first week in which he is not in regular employment after the later of—

- (a) the week during which this regulation comes into force; or
- (b) the week during which he attains pensionable age.”.

⁽¹⁾ S.I.1990/256.

⁽²⁾ Paragraph 13(a) of Schedule 4 to the Pensions Act 1995 (c. 26) substituted a new definition of “pensionable age” in section 122(1) of 1992 c. 4.