

**DEPARTMENT OF HEALTH & SOCIAL SECURITY**

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*From the Secretary of State for Social Services*

The Rt Hon Peter Walker MBE MP

**UNEMPLOYMENT BENEFIT FOR REDUNDANT MINERS**

I am writing in reply to your letter of 10 January in which you expressed your concern about the effect that the operation of Section 19(1) of the Social Security Act 1975 is having on the National Coal Board's policy of manpower reduction through voluntary redundancy.

We are aware of the types of case you mention where it does seem, on the interpretation which has been placed of Section 19 by Social Security Commissioners in the past, that the law is having an effect not envisaged when the legislation was first drafted. In the adjournment debate on 14 January on this question, Ray Whitney referred to a number of such cases now awaiting hearing by the Social Security Commissioners and indicated that we shall be looking carefully into the need for amending legislation in the light of decisions in those cases.

As you appreciate, this would mean amending primary legislation which has been in virtually the same terms since 1948 (and even then carried forward earlier provisions). We would therefore not wish to rush into a hasty amendment without full consideration of all the ramifications. Having said that, I am happy to agree to your suggestion that there should be a review of this and other issues which have arisen regarding entitlement to benefit as a result of this lengthy and unprecedented strike. I think this should be a private, in-house exercise, at least for the time being. My officials are already in touch with their opposite numbers in your Department and in the Department of Employment on these matters though, as you indicated in your letter, the outcome cannot ease the current problems faced by the National Coal Board.

I am copying this letter to Tom King.

NORMAN FOWLER