FAMILY ALLOWANCES

1959 No. 2216

The Family Allowances and National Insurance (Canada) Order, 1959

For the text of this Order see Pt. II, p. 1898, of this vol.

1959 No. 1157

The Family Allowances (Determination of Claims and Questions) Regulations, 1959

For the text of these regulations, *see* Pt. II, p. 1836, of this vol.

1959 No. 1155

The Family Allowances (Making of Claims and Payments) Amendment Regulations, 1959

Made - - - -	2*nd July*, 1959
Laid before Parliament	8*th July*, 1959
Coming into Operation	13*th July*, 1959

The Minister of Pensions and National Insurance, in exercise of the powers conferred on him by sections 17 (1) (*a*) and 28 (2) of the Family Allowances Act, 1945(a), and of all other powers enabling him in that behalf, hereby makes the following regulations :—

Citation, interpretation and commencement

1. These regulations, which may be cited as the Family Allowances (Making of Claims and Payments) Amendment Regulations, 1959, shall be read as one with the Family Allowances (Making of Claims and Payments) Regulations, 1946(b) (hereinafter referred to as " the principal regulations ") and shall come into operation on 13th July, 1959.

2. The Interpretation Act, 1889(c), shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament, and as if these regulations and the regulations hereby revoked were Acts of Parliament.

Amendment of regulation 1 *of the principal regulations*

3. In paragraph (2) of regulation 1 of the principal regulations the following definition shall be substituted for the definition of " award or decision " :—

" ' award or decision ' includes a revised award or decision ; ".

(a) 8 & 9 Geo. 6. c. 41. (b) S.R. & O. 1946/137 (Rev. VII, p. 616: 1946 I, p. 509).
(c) 52 & 53 Vict. c. 63.

Amendment of regulation 2 of the principal regulations

4. The following regulation shall be substituted for regulation 2 of the principal regulations :—

"*Manner in which claims may be made*

2.—(1) Every claim shall be made to the Minister—

(*a*) on a form approved by him for the purpose (in this regulation called "the appropriate form") containing the several particulars indicated therein or required thereby for the proper determination of the claim and in accordance with the instructions contained therein ; or

(*b*) in such other manner, being in writing, as the Minister may accept as sufficient in the circumstances of any particular case or class of cases :

Provided that the Minister may require the person making the claim to complete the appropriate form.

(2) Every claim shall be sent by post or delivered to the Minister and, where any such claim is sent by post, the date of the posting of the claim shall be treated as the date on which the claim was made :

Provided that, if there is any reasonable doubt as to the date of the posting of any claim received by the Minister, it shall be deemed to have been delivered in the ordinary course of post and to have been posted accordingly.

(3) Forms of claim shall be supplied without charge by such persons as the Minister may appoint or authorise for that purpose.

(4) If, owing to the absence of due signature or of due certification a claim is defective at the date of its receipt by the Minister, the Minister may, in his discretion, refer the claim to the person making it and, if the claim is returned duly signed and certified within one month of the date on which it is so referred, the Minister may treat the claim as if it had been duly made in the first instance.

(5) Where a claim has been made in accordance with the provisions of this regulation, the person making the claim may, at any time before a decision has been given thereon, amend the claim by notice in writing sent by post or delivered to the Minister, and any claim so amended may be treated as if it had been made as so amended in the first instance.".

Revocation of regulations 4, 5 and 6 of the principal regulations

5. Regulations 4, 5 and 6 of the principal regulations (which regulations relate respectively to notice of award, awards before the coming into force of section 1 of the Act and payment of sums as on account of an allowance pending final determination) are hereby revoked.

Dated this Second day of July, 1959.

John Boyd-Carpenter,
Minister of Pensions and National Insurance.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations amend regulation 2 of the Family Allowances (Making of Claims and Payments) Regulations, 1946, to enable a claim to allowance to be made in writing otherwise than on a form, to provide for the date of posting of a claim to be treated as the date on which the claim was made and to vary the procedure for the supply of claim forms. They revoke regulations 4 and 6 of those regulations, which are inappropriate in consequence of the transfer, pursuant to section 1 of the Family Allowances and National Insurance Act, 1959, of the functions of determining questions arising under the Family Allowances Act, 1945, from the Minister of Pensions and National Insurance to insurance officers or local tribunals with appeal to the Commissioner appointed under the National Insurance Act, 1946. Regulation 5 of those regulations, which provides for awards to be made before the coming into force of section 1 of the Family Allowances Act, 1945, is revoked as no longer having effect.

1959 No. 1169

The Family Allowances (Qualifications) Amendment Regulations, 1959

Made - - - -	3*rd July*, 1959
Laid before Parliament	8*th July*, 1959
Coming into Operation	13*th July*, 1959

The Minister of Pensions and National Insurance, in conjunction with the Treasury so far as relates to matters with respect to which the Treasury has so directed, in exercise of the powers conferred on him by sections 21 (7) and 24 (4) of the Family Allowances Act, 1945(**a**), and of all other powers enabling him in that behalf, hereby makes the following regulations —

Citation, interpretation and commencement

1. These regulations, which may be cited as the Family Allowances (Qualifications) Amendment Regulations, 1959, shall be read as one with the Family Allowances (Qualifications) Regulations, 1946(**b**), as amended(**c**) (hereinafter referred to as "the principal regulations") and shall come into operation on the 13th July, 1959.

Amendment of regulation 15 of the principal regulations

2. The following regulation shall be substituted for regulation 15 of the principal regulations:—

"*Further provisions relating to absence and to interruption or reduction of contributions*

15. Notwithstanding anything contained in regulations 13 and 14, no absence (other than at a school) of a child from any person, and no interruption or reduction of the contribution made by any person to the

(a) 8 & 9 Geo. 6. c. 41.
(b) S.R. & O. 1946/138 (Rev. VII, p. 607: 1946 I, p. 502).
(c) S.I. 1952/1457, 1999, 1953/1059 (1952 I, pp. 996, 1001; 1953 I, p. 746).