(5) No member of one of the panels referred to in paragraph (1) of regulation 8 shall act as a local referee if he is a person who would be prevented, by the provisions of paragraph (*a*) of the proviso to paragraph (5) of that regulation, from sitting upon a local tribunal during the consideration of the case of the claimant.

EXPLANATORY NOTE

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

These Regulations give effect to the provisions of section 1 of the Family Allowances and National Insurance Act (Northern Ireland), 1959, relating to the determination of questions as to the right to allowances under the Family Allowances Act (Northern Ireland), 1945. Regulation 2 provides for such questions to be determined by insurance officers or local tribunals subject to appeal to the Umpire appointed under the National Insurance Act (Northern Ireland), 1946; for this purpose certain provisions of the National Insurance (Determination of Claims and Questions) Regulations (Northern Ireland), 1948, are applied with modifications. This regulation reserves to the Ministry of Labour and National Insurance certain questions as to which of two or more persons is to be treated as maintaining a child or in which of two families a child is to be treated as included. Provision is made by regulations 3 and 4 for the review of decisions, by regulations 5 and 6 for the adjustment and recovery of sums paid on account of allowances and by regulation 7 for payment pending appeals. Regulation 8 contains provisions to facilitate the transition from the system of adjudication provided by section 5 of the Family Allowances Act (Northern Ireland), 1945, (which, subject to such provisions, is repealed by the Family Allowances and National Insurance Act (Northern Ireland), 1959) under which questions as to the right to allowances were determined by the Ministry with appeal to the Umpire appointed for the purpose.

1959. No. 140 **[C]**

FAMILY ALLOWANCES

Qualifications

REGULATIONS, DATED 24TH AUGUST, 1959, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE, IN CONJUNCTION WITH THE MINISTRY OF FINANCE, UNDER THE FAMILY ALLOWANCES ACT (NORTHERN IRELAND), 1945.

The Ministry of Labour and National Insurance, in conjunction with the Ministry of Finance, in exercise of powers conferred by sections 21(7) and 24(4) of the Family Allowances Act (Northern Ireland), 1945(a), and of all other powers enabling it 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 (Northern Ireland), 1959, shall be

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(a) 1945, c. 19.

read as one with the Family Allowances (Qualifications) Regulations (Northern Ireland), 1946(a) (hereinafter referred to as "the principal regulations"), and shall come into operation on the 7th September, 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 cost of providing for a child, shall be treated as temporary for the purposes of sub-section (7) of section 21 of the Act in the following circumstances:

(1) if there is in force an order under the Children and Young Persons Act (Northern Ireland), 1950(b), committing the child to the care of a fit person:

Provided that this shall not apply to any absence from, or to any interruption or reduction of the contribution made by, such fit person; or

(2) if the absence, interruption or reduction is or is intended to be other than temporary."

Amendment of the Schedule to the principal regulations

3.—(1) For the words "Meaning of 'a member of the Forces', 'a merchant seaman', 'a British protected person' and 'a person under treatment' " in the heading of the Schedule to the principal regulations there shall be substituted the words "Meaning of certain expressions contained in these regulations".

(2) The following paragraph shall be substituted for paragraph 4 of the said Schedule:

"4. For the purposes of these regulations the expression 'a person under treatment' applies, in respect of such period as the Ministry may allow having regard to the circumstances of the particular case, to a person whose absence from Northern Ireland is temporary and for the specific purpose of being treated for incapacity which commenced before he left Northern Ireland."

Sealed with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this 24th day of August, nineteen hundred and fifty-nine.

(L.S.) *H. A. Lowry,*
Assistant Secretary.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 24th day of August, nineteen hundred and fifty-nine.

(L.S.) *W. W. Arthur,*
Assistant Secretary.

(a) S.R. & O. (N.I.) 1946, No. 25 as amended by S.R. & O. (N.I.) 1952, No. 171; S.R. & O. (N.I.) 1952, No. 228 and S.R. & O. (N.I.) 1953, No. 107.
(b) 1950. c. 5.