1971. No. 252 **[C]**

NATIONAL INSURANCE

Age Addition

REGULATIONS, DATED 12TH AUGUST 1971, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES, IN CONJUNCTION WITH THE MINISTRY OF FINANCE, UNDER THE NATIONAL INSURANCE ACTS (NORTHERN IRELAND) 1966 TO 1971.

The Ministry of Health and Social Services, in conjunction with the Ministry of Finance so far as relates to matters with regard to which the Ministry of Finance has so directed, in exercise of powers conferred by section 51 of the National Insurance Act (Northern Ireland) 1966(**a**) and Article 5(2) and (3) of the Social Services (Parity) Order (Northern Ireland) 1971(**b**), and of all other powers enabling it in that behalf, hereby makes the following regulations being regulations subject to negative resolution in accordance with section 101(3) of the said National Insurance Act (Northern Ireland) 1966:

Citation and commencement

1. These regulations may be cited as the National Insurance (Age Addition) Regulations (Northern Ireland) 1971 and shall come into operation on 20th September 1971.

Conditions for entitlement to age addition

2. The conditions for entitlement to age addition, where the person concerned is not entitled to a retirement pension, shall be—

(*a*) that he is in receipt of a payment by reference to which the amount of a retirement pension, if it were otherwise payable to him, would, by virtue of the National Insurance (Overlapping Benefits) Regulations (Northern Ireland) 1961(**c**) be extinguished; and

(*b*) that

(i) the contribution conditions for a retirement pension under section 29 or 31 of, or regulations made under paragraph 17 of Schedule 9 to, the National Insurance Act (Northern Ireland) 1966 are satisfied in his case; or

(ii) had he made a claim for it he would have been entitled to a retirement pension by virtue of section 1(1) of the National Insurance (Old Persons' and Widows' Pensions and Attendance Allowance) Act (Northern Ireland) 1970(**d**) or any regulations made thereunder; or

(iii) had he made a claim for it he would have been entitled to a retirement pension by virtue of Article 5(1) of the Social Services (Parity) Order (Northern Ireland) 1971.

Claims for age addition

3. In all cases age addition may be paid without a claim being made for it.

(a) 1966. c. 6 (N.I.).
(b) S.R. & O. (N.I.) 1971, No. 224.
(c) S.R. & O. (N.I.) 1961, No. 180.
(d) 1970. c. 28 (N.I.).

Amendment of the National Insurance (Claims and Payments) Regulations (Northern Ireland) 1961

4. In the National Insurance (Claims and Payments) Regulations (Northern Ireland) 1961(e), after regulation 10 the following regulation shall be inserted—

"Time and manner of payment of age addition

10A.—(1) Subject to the provisions of these regulations, age addition shall be paid weekly in advance.

(2) Where the person to whom an age addition is payable is a pensioner it shall be payable on the day of the week on which the pension payable to him for that week is payable and in the same manner as that pension.

(3) Where the person to whom an age addition is payable is not a pensioner, it shall be payable on such day of the week and in such manner as the Ministry may in any particular case or class of cases determine.

(4) The provisions of paragraphs (5), (6), (8), (9) and (10) of regulation 10 shall apply in relation to age addition as they apply in relation to a pension and as if the expression "pension order" wherever it appears in those paragraphs included an order for the payment of age addition and as if the reference to a pensioner were a reference to a person entitled to age addition."

Sealed with the Official Seal of the Ministry of Health and Social Services for Northern Ireland this 12th day of August 1971.

(L.S.)

C. G. Oakes,
Assistant Secretary.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 12th day of August 1971.

(L.S.)

C. F. Darling,
Assistant Secretary.

EXPLANATORY NOTE

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

These regulations set out the conditions which a person who is not entitled to a retirement pension must satisfy in order to be entitled to age addition (which was introduced by the Social Services (Parity) Order (Northern Ireland) 1971 and is payable to certain persons who have attained the age of 80). Provision is also made relating to claims to and payment of age addition.

(e) S.R. & O. (N.I.) 1961, No. 221.