STATUTORY INSTRUMENTS

1962 No. 26

NATIONAL INSURANCE

NATIONAL INSURANCE (INDUSTRIAL INJURIES)

The National Insurance and Industrial Injuries (Transitional Provisions) Regulations, 1962

Made - - - -	*8th January*, 1962
Laid before Parliament	*12th January*, 1962
Coming into Operation	*3rd April*, 1962

The Minister of Pensions and National Insurance, in exercise of powers conferred by paragraph 8 of the Third Schedule to the Family Allowances and National Insurance Act, 1961(a), and of all other powers enabling him in that behalf, hereby makes, in consequence of the said Act, the following regulations :—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the National Insurance and Industrial Injuries (Transitional Provisions) Regulations, 1962, and shall come into operation on the 3rd April, 1962.

(2) In these regulations, unless the context otherwise requires—

"the Act of 1961" means the Family Allowances and National Insurance Act, 1961;

"benefit" means benefit under the National Insurance Acts, 1946 to 1961, or under the National Insurance (Industrial Injuries) Acts, 1946 to 1961;

"child" has the meaning assigned to it by the National Insurance Act, 1946(b).

(3) The rules for the construction of Acts of Parliament contained in the Interpretation Act, 1889(c), shall apply for the purpose of the interpretation of these regulations as they apply for the purpose of the interpretation of an Act of Parliament.

Apprentices ceasing to be children on the coming into force of section 8 (b) of the Act of 1961

2.—(1) This regulation shall apply in relation to any benefit the right to which or the rate of which depends on a person (hereinafter called "the dependant") being a child in a case where, by virtue of paragraph (*b*) of section 8 of the Act of 1961 (which paragraph amends the definition of "apprentice" for the purposes of the Family Allowances Act, 1945(d)), the dependant ceases to be a child on the coming into force of that paragraph.

(a) 10 & 11 Eliz. 2. c. 6. (b) 9 & 10 Geo. 6. c. 67. (c) 52 & 53 Vict. c. 63.
(d) 8 & 9 Geo. 6. c. 41.

(2) Where, immediately before the date of the coming into force of the said paragraph (*b*), a person is entitled to any benefit in relation to which this regulation applies and, for a continuous period beginning on that date, that person or any other person would be entitled to any such benefit, or to such benefit at a higher rate, but for the dependant ceasing to be a child by virtue of that paragraph, then, notwithstanding that paragraph, the dependant shall continue to be treated as a child throughout that period for the purposes of that person's or that other person's right to such benefit or to such benefit at a higher rate.

(3) For the purposes of the foregoing paragraph, a period shall be treated as a continuous period if it would have been such a period but for the occurrence of Sunday or such other day as is prescribed under paragraph (*d*) of subsection (2) of section 11 of the National Insurance Act, 1946.

Dated this eighth day of January, 1962.

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 provide for the circumstances in which a person shall continue to be treated as a child for the purposes of the right to benefit under the National Insurance Act, 1946 and the National Insurance (Industrial Injuries) Act, 1946, where otherwise he would in consequence of section 8 (*b*) of the Family Allowances and National Insurance Act, 1961, cease to be a child for those purposes.