STATUTORY INSTRUMENTS

1964 No. 495

NATIONAL INSURANCE

The National Insurance (Australia and New Zealand) Order 1964

Made - - - - 26th March 1964

At the Court at Buckingham Palace, the 26th day of March 1964

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in pursuance of section 64 of the National Insurance Act 1946(a), and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Citation, commencement and interpretation

1.—(1) This Order may be cited as the National Insurance (Australia and New Zealand) Order 1964.

(2) In this Order, unless the context otherwise requires—

" the principal Act " means the National Insurance Act 1946 ;

" the Australia Order " means the Family Allowances and National Insurance (Australia) Order 1958(b) ;

" the New Zealand Order " means the National Insurance (New Zealand) Order 1956(c) ;

" the principal Orders " means the Australia Order and the New Zealand Order ;

and other expressions have the same meaning as in the principal Act.

(3) Reference in this Order to any enactment, order or regulations shall include references to such enactment, order or regulations as amended by any subsequent enactment, order or regulations.

(4) The rules for the construction of Acts of Parliament contained in the Interpretation Act 1889(d) shall apply for the purpose of the interpretation of this Order as they apply to the interpretation of an Act of Parliament.

Exception from effect of principal Orders

2. As from 30th March 1964, nothing in the principal Orders depriving a person of an increase of benefit for a dependant under the legislation of the United Kingdom, if the dependant is—

(*a*) in the case of the Australia Order, a child for whom child endowment is payable under the legislation of Australia, or

(a) 9 & 10 Geo. 6. c. 67. (b) S. I. 1958/422 (1958 II, p.1584).
(c) S. I. 1956/88 (1956 I, p. 1671). (d) 52 & 53 Vict. c. 63.

(*b*) in the case of the New Zealand Order, a child for whom a child's allowance (as defined in the Schedule to that Order) is payable under the legislation of New Zealand,

shall apply to an increase of a widowed mother's allowance for an only, elder or eldest child.

W. G. Agnew.

EXPLANATORY NOTE

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

1. The Family Allowances and National Insurance Act 1964 has changed the form of a widowed mother's allowance payable to a widow with a child or children in the family under the National Insurance Act 1946. Formerly the allowance was a single allowance (containing an " element " in respect of the only, elder or eldest child, of the widow) with which were payable increases in respect of any child after the first; but this has now been replaced by a personal allowance for the widow together with increases in respect of each child, including the first.

2. Under provisions of the Reciprocal Agreements with Australia and New Zealand, (which are set out respectively in the Family Allowances and National Insurance (Australia) Order 1958 and the National Insurance (New Zealand) Order 1956), increases of United Kingdom benefit for children in those countries are not payable concurrently with certain benefits for children under the legislation of those countries. The " element " in widowed mother's allowance in respect of the first or only child not being an increase, those provisions did not apply to it. The present Order secures that the provisions will not apply to the new increase for the first or only child, which will therefore be payable concurrently with the benefits for such child under Australian and New Zealand legislation respectively.