## EXPLANATORY NOTE

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

These Regulations amend the National Insurance (Residence and Persons Abroad) Regulations, 1948, by permitting a woman who is excepted from liability to pay a contribution through absence from Great Britain to be credited with a contribution if she satisfies the provisions of regulation 6A of the National Insurance (Contributions) Regulations, 1948, which regulation relates to women in receipt of widow's pensions under certain provisions other than those of the National Insurance Act, 1946.

The preliminary draft of these Regulations was submitted to the National Insurance Advisory Committee in accordance with section 77 of the National Insurance Act, 1946, and their report thereon dated the 5th December, 1957, is contained in the House of Commons Paper No. 36 (Session 1957–58) published by Her Majesty's Stationery Office.

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## TRANSITIONAL PROVISIONS

# 1957 No. 2076

# The National Insurance (Children's Allowances and Orphans' Pensions) (Transitional) Amendment Regulations, 1957

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| *Made - - - -* | *29th November,* 1957 |
| *Laid before Parliament* | *6th December,* 1957 |
| *Coming into Operation* | *7th December,* 1957 |

The Minister of Pensions and National Insurance, in conjunction with the Treasury, in exercise of powers conferred by section 65 of the National Insurance Act, 1946(a), as amended by section 4 (1) of the National Insurance Act, 1954(b), and by section 9 (2) of the Family Allowances and National Insurance Act, 1956(c), 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 National Insurance (Children's Allowances and Orphans' Pensions) (Transitional) Amendment Regulations, 1957, shall be read as one with the National Insurance (Children's Allowances and Orphans' Pensions) (Transitional) Regulations, 1952(d) (hereafter referred to as "the principal regulations") and shall come into operation on 7th December, 1957.

*Regulation substituted for regulation 3 of the principal regulations*

**2.**—(1) For regulation 3 of the principal regulations (which provides for an increase in the rate of orphans' pensions in certain cases) there shall be substituted the following regulation:—

"*Orphans' pensions*

3.—(1) Subject to the provisions of subsection (1) of section 28 of the principal Act (which makes it a condition of any person's right to benefit

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(a) 9 & 10 Geo. 6. c. 67. (b) 3 & 4 Eliz. 2. c. 1. (c) 4 & 5 Eliz. 2. c. 50.
(d) S.I. 1952/1559 (1952 II, p. 2118).

that he makes a claim therefor in the prescribed manner), the weekly rate of an orphan's pension, notwithstanding the provisions of regulation 14 of the Existing Beneficiaries Regulations (which contains special provisions in respect of certain children), shall, for any period during which—

(*a*) the child in respect of whom the orphan's pension is payable is included in the family of the beneficiary; and

(*b*) an allowance under the Family Allowances Act would be payable in respect of any child of the beneficiary's family, if that orphan's pension were not payable;

be increased to ten shillings where the said allowance under the Family Allowances Act would be payable at that rate and eight shillings in any other case:

Provided that—

(*a*) where the said allowance would be payable at the weekly rate of eight shillings, but the weekly rate of the allowance under the Family Allowances Act in respect of some other child of the beneficiary's family would be increased from eight shillings to ten shillings, the weekly rate of the orphan's pension shall be increased to ten shillings; and

(*b*) where the family of the beneficiary includes two or more children in respect of all of whom orphans' pensions are payable, the foregoing increase of orphan's pension shall as from the said date, but subject as aforesaid, be payable in the case of any such child, other than the elder or eldest, if an allowance under the Family Allowances Act would be payable in respect of him if none of the orphans' pensions in respect of those children were payable, so, however, that the rate to which the pension in respect of that child shall be increased shall be the rate at which that allowance would be so payable.

(2) An orphan's pension at the weekly rate of eight or ten shillings by virtue of paragraph (1) of this regulation shall not, for the purposes of regulation 5, as amended, of the Overlapping Benefits Regulations, be treated as dependency benefit."

(2) Subsection (1) of section 9 of the Act of 1952, as applied by subsection (6) of section 6 of the Family Allowances and National Insurance Act, 1956, (which relates to existing awards), shall not apply to an award of orphan's pension which is in force on the date of coming into operation of these regulations.

Dated this twenty-ninth day of November, 1957.

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

Dated this twenty-ninth day of November, 1957.

*Martin Redmayne,*
*Anthony Barber,*
Two of the Lords Commissioners of Her Majesty's Treasury.

## EXPLANATORY NOTE

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

These Regulations amend the National Insurance (Children's Allowances and Orphans' Pensions) (Transitional) Regulations, 1952, by providing that the weekly rate of an orphan's pension, which has hitherto been eight shillings in all cases where that pension has precluded the payment of a family allowance, shall be increased to ten shillings where the family allowance would be payable at that weekly rate.

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# 1957 No. 269

# The National Insurance (New Entrants Transitional) Amendment Regulations, 1957

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|---|---|
| *Made* - - - - | *19th February*, 1957 |
| *Laid before Parliament* | *27th February*, 1957 |
| *Coming into Operation* | *1st March*, 1957 |

The Minister of Pensions and National Insurance, in conjunction with the Treasury, in exercise of powers conferred by section 71 of the National Insurance Act, 1946(**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 National Insurance (New Entrants Transitional) Amendment Regulations, 1957, shall be read as one with the National Insurance (New Entrants Transitional) Regulations, 1949(**b**), as amended (**c**) (hereinafter referred to as "the principal regulations") and shall come into operation on the 1st March, 1957.

*Amendment of regulation 4 of the principal regulations*

**2.**—(1) In paragraph (1) of regulation 4 of the principal regulations (which relates to modifications of the Act in relation to retirement pensions for new entrants who were immediately before the appointed day over fifty-five, in the case of men, and fifty, in the case of women, and under pensionable age) after sub-paragraph (*d*) there shall be inserted the following sub-paragraphs:—

"(*e*) A claim for any retirement pension payable by virtue of any such person's insurance may be made at any time not more than sixteen months before the date on which the claimant will, subject to the fulfilment of the necessary conditions, become entitled to such a pension.

(*f*) A notice of retirement for the purpose of paragraph (*b*) of subsection (2) of section 20 of the Act (which section relates to retirement pensions) shall be given by the wife of any such man claiming by virtue of her husband's insurance to the Minister in writing not more than sixteen months before the date of retirement.

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(**a**) 9 & 10 Geo. 6. c. 67. (**b**) S.I. 1941/352 (1949 I, p. 2737).
(**c**) No amendment affecting the subject-matter of these regulations has been made.