# 1957 No. 1357

# The National Insurance (Claims and Payments) Amendment (No. 2) Regulations, 1957

| | |
|---|---|
| *Made* - - - - | 30*th July*, 1957 |
| *Laid before Parliament* | 2*nd August*, 1957 |
| *Coming into Operation* | 2*nd September*, 1957 |

The Minister of Pensions and National Insurance, in conjunction with the Treasury so far as relates to matters in regard to which the Treasury have so directed, and jointly with the Postmaster General so far as relates to payment of benefit through the Post Office, in exercise of powers conferred by section 20 (2) (*b*) of the National Insurance Act, 1946(**a**), as amended by section 2 (4) of the National Insurance Act, 1957(**b**), and by sections 46 and 65 of the said Act of 1946, 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 (Claims and Payments) Amendment (No. 2) Regulations, 1957, shall be read as one with the National Insurance (Claims and Payments) Regulations, 1948(**c**), as amended(**d**) (hereinafter referred to as " the principal regulations ") and shall come into operation on the 2nd September, 1957.

*Amendment of regulation* 10 *of the principal regulations*

**2.** As from the 1st January, 1958, for sub-paragraph (*b*) of paragraph (4) of regulation 10 of the principal regulations (which sub-paragraph makes provision for the days of the week on which retirement pension shall be payable) there shall be substituted the following sub-paragraph—

" (*b*) in the case of retirement pension—on Mondays:

Provided that

(i) in the case of a woman who, immediately before becoming entitled to retirement pension, was entitled to widow's benefit, the days shall be Tuesdays,

(ii) where a woman becomes entitled to a retirement pension immediately following the payment to her husband of an increase of retirement pension in respect of her, the retirement pension to which she becomes entitled shall be payable on the same days as those upon which the retirement pension of her husband is payable,

(iii) where, in relation to any person, any particular day of the week has become the appropriate day of the week for the payment of retirement pension, that day shall thereafter remain the appropriate day in his case for such payment."

*Amendment of sub-paragraph* (*a*) *of paragraph* (2) *of Part II of the Second Schedule to the principal regulations*

**3.** In sub-paragraph (*a*) of paragraph (2) of Part II of the Second Schedule to the principal regulations (which Second Schedule is included by virtue of the National Insurance (Claims and Payments) Amendment Regulations,

(**a**) 9 & 10 Geo. 6. c. 67. (**b**) 5 & 6 Eliz. 2. c. 26.
(**c**) S.I. 1948/1041 (Rev. XVI, p. 313: 1948 I, p. 2709).
(**d**) The relevant amending regulations are S.I. 1952/1207, 1954/189 (1952 II, p. 2122; 1954 I, p. 1387).

1952(a) and which sub-paragraph imposes a general limitation in respect of maternity grant) after the words " maternity grant " there shall be inserted the words " or home confinement grant ".

*Substitution of sub-paragraph* (2) *of paragraph* 8 *of the said Part II of the Second Schedule to the principal regulations*

**4.** For sub-paragraph (2) of paragraph 8 of the said Part II of the Second Schedule to the principal regulations there shall be substituted the following—

" (2) A notice for the purpose of paragraph (*b*) of subsection (2) of section 20 of the Act (which section relates to retirement pensions) shall be given to the Minister in writing and shall specify a date, being a date not earlier than the date on which the person giving the notice attains pensionable age and not later than the expiration of the period of four months after the date on which the notice is given, as the date of that person's retirement.

(2A) For the purposes of head (i) of the said paragraph (*b*), the prescribed period shall be the period of one month :

Provided that the prescribed period shall be extended to the commencement of any continuous period immediately preceding the said period of one month throughout which the person giving the notice proves there was good cause for the delay in giving such notice so, however, that the prescribed period shall in no case exceed six months."

*Revocation*

**5.** As from the 1st January, 1958, proviso (*c*) to paragraph (3) of regulation 23 of the National Insurance (General Transitional) Regulations, 1948(b), as amended(c), (which proviso makes provision for the days of the week upon which weekly sums on account of retirement pensions shall be payable to widows by virtue of the National Insurance (Pensions, Existing Beneficiaries and Other Persons) (Transitional) Regulations, 1948(d), as amended(c), or the National Insurance (Pensions, Existing Contributors) (Transitional) Regulations, 1948(e), as amended(c) is hereby revoked, but without prejudice to anything duly done or suffered, or to any right, privilege, obligation or liability acquired, accrued or incurred, thereunder.

Dated this 29th day of July, 1957.

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

Dated this 30th day of July, 1957.

*Ernest Marples,*
Postmaster General.

Dated this 30th day of July, 1957.

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

(a) S.I. 1952/1207 (1952 II, p. 2122).
(b) S.I. 1948/1503 (Rev. XVI, p. 2: 1948 I, p. 2880).
(c) No amendment affecting the subject-matter of these regulations has been made.
(d) S.I. 1948/55 (Rev. XVI, p. 36: 1948 I, p. 2822).
(e) S.I. 1948/612 (Rev. XVI, p. 18: 1948 I, p. 2834).

## EXPLANATORY NOTE

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

These Regulations amend the National Insurance (Claims and Payments) Regulations, 1948 by providing that, in cases arising after the 31st December, 1957, but subject to certain exceptions, retirement pensions shall be payable on Mondays.

Provision is also made to place a limit upon the time in which home confinement grant may be paid.

The Regulations also prescribe the requirements as to the notice of retirement for the purposes of section 20 (2) (*b*) of the National Insurance Act, 1946 and prescribe for the purposes of section 20 (2) (*b*) (i) of that Act the period before which a person shall not be treated as having retired from regular employment. These provisions are consequent upon the amendment of the said section 20 (2) (*b*) of the National Insurance Act, 1946 by section 2 (4) of the National Insurance Act, 1957.

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 23rd July, 1957 is contained in House of Commons Paper No. 247 (Session 1956–57) published by Her Majesty's Stationery Office.

---

# 1957 No. 1340

# The National Insurance (Determination of Claims and Questions) Amendment Regulations, 1957

| | |
|---|---|
| *Made* - - - - | 30*th July*, 1957 |
| *Laid before Parliament* | 2*nd August*, 1957 |
| *Coming into Operation* | 5*th August*, 1957 |

The Minister of Pensions and National Insurance, in exercise of powers conferred by section 43 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 (Determination of Claims and Questions) Amendment Regulations, 1957, shall be read as one with the National Insurance (Determination of Claims and Questions) Regulations, 1948(b), as amended(c) (hereinafter referred to as

(a) 9 & 10 Geo. 6. c. 67. (b) S.I. 1948/1144 (Rev. XVI, p. 331 : 1948 I, p. 2720).
(c) S.I. 1951/1208, 1952/1310, 1955/1788 (1951 I, p. 1455 ; 1952 II, p. 2145; 1955 I, p. 1583); *and see* reg. 13 of, and Third Schedule to, National Insurance (Death Grant) Regulations, 1949 (S.I. 1949/1204 (1949 I, p. 2708)), reg. 21 of, and Second Schedule to, National Insurance (Maternity Benefit and Miscellaneous Provisions) Regulations, 1954 (S.I. 1954/189 (1954 I, p. 1387)).