1969. No. 45 [C]

NATIONAL INSURANCE

Claims and Payments

REGULATIONS, DATED 6TH MARCH 1969, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES UNDER THE NATIONAL INSURANCE ACT (NORTHERN IRELAND) 1966.

The Ministry of Health and Social Services, in exercise of powers conferred by sections 29(3) and 48(3) and (4) of the National Insurance Act (Northern Ireland) 1966(a), and of all other powers enabling it in that behalf, hereby makes the following regulations:

Citation and commencement.

1. These regulations, which may be cited as the National Insurance (Claims and Payments) Amendment Regulations (Northern Ireland) 1969, shall be read as one with the National Insurance (Claims and Payments) Regulations (Northern Ireland) 1961(b) (hereinafter referred to as "the principal regulations") and shall come into operation on 12th March 1969.

Variation of section 48(4) of the Act

2. Section 48(4) of the Act (period for which benefit may be paid prior to claim) shall be varied by substituting for the words "six months", wherever they occur, the words "twelve months".

Amendment of Part II of Schedule 2 to the principal regulations

3. In paragraph 8 (retirement pensions) of Part II of Schedule 2 to the principal regulations, for sub-paragraphs (2), (3) and (4) there shall be substituted the following sub-paragraphs:

"(2) A notice for the purpose of section 29(3) of the National Insurance Act (Northern Ireland) 1966 (retirement pensions) shall be given to the Ministry 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 four months after the date on which the notice is given, as the date of that person's retirement.

(3) For the purpose of paragraph (*a*) of the said section 29(3) 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 that there was good cause for the delay in giving such notice so, however, that the prescribed period shall in no case exceed twelve months.

(4) For the purpose of facilitating the determination of a subsequent claim for retirement pension, a person may at any time not more than four months before the date on which he will attain pensionable age, and notwithstanding that he does not intend to retire from regular employment at that date, submit particulars in writing to the Ministry in a form approved by it for that purpose with a view to the determination (in advance of a claim) of any questions under the National Insurance Act (Northern Ireland) 1966 relating to that person's

(a) 1966. c. 6 (N.I.). (b) S.R. & O. (N.I.) 1961, No. 221.

title to a retirement pension other than the question of retirement, and subject to the necessary modifications, the provisions of Part II of these regulations shall apply to any such particulars."

Transitional provisions

4. The provisions of section 48(4) of the Act in force immediately before the date of the coming into operation of these regulations shall continue to apply to any sum on account of:

(*a*) maternity grant in respect of a confinement occurring more than six months before that date;

(*b*) death grant in respect of a death occurring more than six months before that date;

(*c*) any other benefit in respect of a period more than six months before that date.

Sealed with the Official Seal of the Ministry of Health and Social Services for Northern Ireland this 6th day of March 1969.

(L.S.) *H. A. Lowry,*
Assistant Secretary.

EXPLANATORY NOTE

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

These regulations vary the provisions of section 48(4) of the National Insurance Act (Northern Ireland) 1966 so as to extend from six months to twelve months the maximum period for which benefit can be paid for late claims.

The regulations also amend the National Insurance (Claims and Payments) Regulations (Northern Ireland) 1961 by providing that, in cases in which a person giving notice of retirement proves that there was good cause for delay in giving the notice, the period of giving notice may be extended to twelve months, instead of six months. They also contain transitional provisions.