SPECIAL CLASSES

1960 No. 2431

The National Insurance (Mariners) Amendment Regulations, 1960

Laid before Parliament in draft
Made - - - - 21*st December*, 1960
Coming into Operation 3*rd April*, 1961

Whereas a draft of the following regulations was laid before Parliament and approved by resolution of each House of Parliament :

Now, therefore, the Minister of Pensions and National Insurance, in conjunction with the Treasury, in exercise of powers conferred by section 58 of the National Insurance Act, 1946(**a**), as amended by section 2 (7) of the National Insurance Act, 1959(**b**), and of all other powers enabling him in that behalf, after considering the report of the National Insurance Advisory Committee on the preliminary draft submitted to them, hereby makes the following regulations :—

Citation, interpretation and commencement

1. These regulations, which may be cited as the National Insurance (Mariners) Amendment Regulations, 1960, shall be read as one with the National Insurance (Mariners) Regulations, 1948(**c**), as amended(**d**), (hereinafter referred to as "the principal regulations") and shall come into operation on the third day of April, 1961.

Amendment of regulation 2 of the principal regulations

2.—(1) Regulation 2 of the principal regulations (which provides for the insurance of mariners) shall be amended in accordance with the following provisions of this regulation, and shall accordingly have effect as set out in Part I of the First Schedule to these regulations.

(2) At the end of the said regulation 2, there shall be added the following paragraphs :—

"(5) Where—

(*a*) in relation to a mariner employed in an employment as master or a member of the crew of a ship or vessel, not being a ship or vessel used wholly or mainly for the disposal of sludge, the provisions of sub-paragraph (*a*), (*b*) or (*c*) of paragraph (1) of this regulation are satisfied, and he is not excepted from insurance in respect of that employment by virtue of paragraph (2) of this regulation, and

(*b*) upon the termination of a voyage ending during the period of that employment, he is entitled to a day or days of leave on pay, and

(**a**) 9 & 10 Geo. 6. c. 67. (**b**) 7 & 8 Eliz. 2. c. 47.
(**c**) S.I. 1948/1467 (Rev. XVI, p. 112: 1948 I, p. 2785).
(**d**) The relevant amending regulations are S.I. 1949/301, 1951/1411, 1953/624, 1957/2243, 1959/759 (1949 I. p. 2726; 1951 I, p. 1488; 1953 I, p. 1377; 1957 I, p, 1679; 1959 II, p. 1895).

(*c*) that employment is terminated before the end of the period of leave on pay,

the mariner shall be treated as if that employment continued throughout the period (hereafter in this paragraph referred to as "the said period") from the termination of that employment to the end of the period of leave on pay; and accordingly the mariner, if he would otherwise have ceased to be insured under the Act, shall continue to be so insured throughout the said period, and the employer who was the mariner's employer in that employment shall be treated, for the purposes of the provisions of the Act relating to contributions, as his employer throughout the said period.

(6) In the foregoing paragraph and in the following provisions of these regulations, a "period of leave on pay" means, in relation to a mariner who, upon the termination of a voyage, is entitled to a day or days of leave on pay, a period immediately following the day on which that termination occurs and equal in length to the period of that leave.".

Amendment of regulation 5 of the principal regulations

3.—(1) Regulation 5 of the principal regulations (which relates to contributions in respect of mariners employed as masters or members of the crews of any ships or vessels other than home-trade ships) shall be amended in accordance with the following provisions of this regulation and shall accordingly have effect as set out in Part II of the First Schedule to these regulations.

(2) In paragraph (1) of the said regulation 5, after the words "home-trade ship", there shall be inserted the words "including a mariner so employed who, by virtue of the provisions of paragraph (5) of regulation 2 of these regulations, is treated as if his employment as such continued until the end of a period of leave on pay,".

(3) At the end of sub-paragraph (*a*) of paragraph (2) of the said regulation 5, there shall be added the words "of these regulations or by virtue of paragraph (5) of that regulation".

Provisions to be added to the principal regulations

4. The following regulation shall be inserted after regulation 6 of the principal regulations:—

"*Contributions paid for weeks of double employment*

6A.—(1) The following provisions of this regulation apply to a mariner as respects any period of leave on pay (hereafter in this regulation referred to as "the period").

(2) If, in any contribution week falling wholly or partly in the period, he is (apart from his being employed, or treated as employed, in continuation of his employment on the voyage to which the period relates) employed in an employed contributor's employment (hereafter in this regulation referred to as "the new employment"), he and his employer in the new employment shall be entitled (but not liable) to pay a contribution as an employed person and an employer's contribution respectively for that week, if they would have been respectively liable to pay such contributions had he not been employed, or treated as employed, in continuation of his employment on the voyage until the end of the period.

(3) If, by virtue of the foregoing provisions of this regulation, a contribution as an employed person is paid in respect of the new employment

for a contribution week falling wholly or partly in the period (which contribution week is hereafter in this regulation referred to as "the week of double employment"), it shall, except for the purpose of the application of the provisions of the next following paragraph, be treated as not having been paid for that week; but, if and when—

(*a*) such a contribution has been so paid, and

(*b*) the mariner is liable or entitled to pay a contribution as a non-employed person for a contribution week, or for each of two or more contribution weeks, in the period of three consecutive contribution years beginning with the contribution year which includes the week of double employment,

the contribution so paid—

(i) shall so be applied as to terminate the mariner's liability or entitlement to pay a contribution for, and shall be treated as a contribution as an employed person properly paid by the mariner for, that contribution week or, if more than one, for the earlier or earliest of them; but

(ii) shall not be taken into account for the purpose either of any right to benefit for any period before the day on which it was paid or of the application of the provisions of subsection (4) of section 20 of the Act, which subsection provides for increasing a retirement pension by reference to contributions paid by the beneficiary in respect of the period after his attaining pensionable age.

(4) If—

(*a*) by virtue of the foregoing provisions of this regulation, a contribution as an employed person is paid in respect of the new employment for the week of double employment, and

(*b*) during the period of three consecutive contribution years mentioned in the last foregoing paragraph, that contribution does not fall to be applied in accordance with sub-paragraph (i) of that paragraph,

then, in its application in relation to that contribution, regulation 18 of the National Insurance (Contributions) Regulations, 1948(**a**), (which relates to contributions paid in error) shall have effect as if that contribution had been paid under the erroneous belief that it was payable and as if it had been paid and payable on the last day of that period.".

5. The following provisions shall be added after regulation 16 of the principal regulations:—

"PART II

Seaman's graduated contributions

Definitions

17. In this Part of these regulations, unless the context otherwise requires—

"seaman" has the same meaning as in regulation 34 of the Income Tax (Employments) Regulations, 1950(**b**);

"pay period" in relation to any payment of a seaman's remuneration means the period in respect of which the payment is made;

(**a**) S.I. 1948/1417 (Rev. XVI, p. 164: 1948 I, p. 2767).
(**b**) S.I. 1950/453 (1950 I, p. 1069).

" voyage period " means a pay period comprising an entire voyage or series of voyages (including any period of leave on pay which immediately follows the day on which the termination of that voyage or series of voyages occurs).

Seaman's liability for graduated contributions and their assessment

18.—(1) Subject to the following provisions of this Part of these regulations, in relation to a person's employment as a seaman those provisions of Part I of the National Insurance Act, 1959, which relate to liability to pay graduated contributions shall be modified in accordance with the following provisions of this regulation.

(2) Liability to pay graduated contributions in relation to a person's employment as a seaman shall be in respect of a payment of remuneration for any pay period and shall not be in respect of payments in any income tax week, nor shall the amounts of those graduated contributions be determined by reference to any payment or payments in any income tax week.

(3) Subject to the provisions of regulation 20, in respect of any payment of a seaman's remuneration for any pay period (not being a voyage period) of one week, one month or three months—

(*a*) where the pay period is one week, the employer and the seaman shall each be liable, if the payment is of an amount shown in column (1) of the First Schedule to these regulations, to pay a graduated contribution of the amount opposite thereto in column (2) or, if the payment is of an amount not so shown, a graduated contribution of the amount in column (2) opposite to the next smaller amount in column (1), if any, which is so shown;

(*b*) where the pay period is one month, the employer and the seaman shall each be liable, if the payment is of an amount shown in column (1) of the Second Schedule to these regulations to pay a graduated contribution of the amount opposite thereto in column (2) or, if the payment is of an amount not so shown, a graduated contribution of the amount in column (2) opposite to the next smaller amount in column (1), if any, which is so shown;

(*c*) where the pay period is three months, the last foregoing sub-paragraph shall apply subject to the substitution for each of the amounts shown in column (1) and column (2) of the Second Schedule to these regulations of that amount multiplied by three.

(4) Subject as aforesaid, in respect of any payment of a seaman's remuneration for a voyage period or for any pay period (not being a voyage period) other than one week, one month or three months—

(*a*) where the employer is liable to pay no or only one weekly employer's contribution in respect of the employment of the seaman for that period, the employer and the seaman shall each be liable, if the payment is of an amount shown in column (1) of the First Schedule to these regulations, to pay a graduated contribution of the amount opposite thereto in column (2) or, if the payment is of an amount not so shown, a graduated contribution of the amount shown in column (2) opposite to the next smaller amount in column (1), if any, which is so shown; and

(*b*) where the employer is liable to pay more than one weekly employer's contribution in respect of the employment of the seaman for that period, the foregoing sub-paragraph shall apply subject

to the substitution for each of the amounts shown in column (1) and column (2) of the First Schedule to these regulations of that amount multiplied by the number of weekly employer's contributions which the employer is liable to pay as aforesaid:

Provided that, for the purposes of this paragraph—

(*a*) an employer shall be deemed to be liable to pay any weekly employer's contribution which is paid by him by virtue of the provisions of paragraph (2) of regulation 6A of these regulations; and

(*b*) in calculating the number of employer's weekly contributions, no account shall be taken of any such contribution which would not be payable but for a delay in the ending of a voyage to which the provisions of paragraph (*b*) of regulation 19 apply.

(5) The provisions of the National Insurance (Assessment of Graduated Contributions) Regulations, 1960(a), shall not apply to or in respect of any payment of remuneration in respect of the employment of a seaman as such.

Remuneration to be disregarded

19. For the purposes of graduated contributions, there shall be excluded from remuneration in respect of the employment of any seaman any payment insofar as it is—

(*a*) either—

(i) an interim payment of remuneration by way of an advance, or

(ii) a payment to some other person of any part of a seaman's remuneration allotted by him to that person,

so, however, that this paragraph shall not prevent any sum deducted on account of any such payment from another payment of remuneration being treated as paid on account of that remuneration in accordance with subsection (4) of section 2 of the National Insurance Act, 1959, (which subsection provides for any sum deducted from a payment of remuneration being treated as paid on account of that remuneration);

(*b*) a payment of remuneration to a seaman in respect of a voyage in excess, by reason of delay in the ending of the voyage, of the payment which but for such delay the seaman would have received:

Provided that the provisions of this paragraph shall apply only to a delay where—

(i) the delay is beyond the time the master had expected the voyage to end when in anticipation of the voyage so ending calculations of the payment to be made to the seaman at the end of the voyage were completed; and

(ii) the voyage ends before midnight on the second day after the time expected by the master as aforesaid;

(*c*) a payment of or in respect of a gratuity, where the payment is not made directly or indirectly by the employer and the sum paid does not comprise or represent sums previously paid to the employer;

(*d*) a payment of a special payment while sick abroad (as defined by the National Maritime Board); or

(*e*) a payment to him made by the Minister of Transport with the consent of his employer in accordance with the provisions of

(a) S.I. 1960/921 (Pt. II, p. 2210, of this vol.).

section 28 of the Merchant Shipping Act, 1906(a), (which deals with wages and effects of a seaman who is left behind) in respect of wages deposited owing to a seaman's failure to rejoin his ship.

Separate additional payments

20.—(1) In this regulation—

(*a*) "terminal payment" means a payment of remuneration to a seaman in respect of his employment as such made at or following the end of a voyage by way of general settlement of the seaman's remuneration for that voyage (or, where the voyage includes more than one pay period, for the last of those pay periods):

(*b*) "quarterly calculated payment" means a payment for a pay period of three months or a payment of remuneration of which the whole or the greater part is calculated by reference to one or more periods of three months;

(*c*) "monthly calculated payment" means a payment for a pay period of a month or a payment of remuneration, not being a quarterly calculated payment, of which the whole or the greater part is calculated by reference to a month or months;

(*d*) "weekly calculated payment" means a payment of remuneration which is not a quarterly or monthly calculated payment.

(2) Where remuneration for overtime work as a seaman earned in any of the last six days of a voyage is not included in the terminal payment, then, in respect of any subsequent payment on account of that remuneration (not being a payment of less than one pound) and subject to regulations 19 and 22 of these regulations, the employer and the seaman shall each be liable to pay a graduated contribution of the amount shown in column (2) of the Third Schedule to these regulations opposite the amount of that payment shown in column (1) or, if that amount is not so shown, opposite the next smaller amount which is so shown.

(3) Except for payments to which the provisions of the foregoing paragraph apply and subject to the provisions of regulations 19 and 22 of these regulations, graduated contributions shall be payable in accordance with the provisions of the succeeding paragraphs of this regulation in respect of any payment of remuneration made to a seaman in respect of his employment as such which either—

(*a*) is not made before or included in the terminal payment, or

(*b*) is made before the terminal payment otherwise than through the master or other person from whom the seaman is to receive the terminal payment

(hereafter in this regulation referred to as an "employer's payment"):

Provided that any payment which is made at the same time as a payment of remuneration to which paragraph (3) of regulation 18 applies shall not be treated as an employer's payment, but shall be treated for the purposes of the said paragraph (3) as if it were remuneration for the pay period in respect of which that other payment is made.

(4) Subject to the provisions of paragraph (5), in respect of any employer's payment an employee shall be liable to pay graduated contributions on behalf and in respect of a seaman under paragraph (*b*) of subsection (1) of the National Insurance Act, 1959, (which paragraph imposes liability to pay graduated contributions) as modified by regulation 18 of these regulations—

(a) 6 Edw. 7. c. 48.

(*a*) if the terminal payment is or is to be a weekly calculated payment, as if the employer's payment were for a pay period of one week;

(*b*) if the terminal payment is or is to be a monthly calculated payment, as if the employer's payment were for a pay period of one month; and

(*c*) if the terminal payment is or is to be a quarterly calculated payment, as if the employer's payment were for a pay period of three months.

(5) The graduated contributions payable in a case to which the foregoing paragraph applies shall be determined—

(*a*) if the seaman is still in the employment of the employer making the employer's payment at the time that payment is made, as if, in respect of the pay period of one week or one month or three months, as the case may be, the employer in addition had paid his basic wage to the seaman and appropriate graduated contributions on behalf and in respect of him in respect of that basic wage; or

(*b*) if the seaman is not still employed by the employer making the employer's payment at the time that payment is made, as if the employer had paid the seaman no other remuneration in respect of that pay period.

Annual Maximum

21.—(1) In relation to a seaman subsection (3) of section 2 of the National Insurance Act, 1959, (by which where the graduated contributions paid by a person in respect of his remuneration from two or more employments in any income tax year exceed the prescribed amount the excess shall, for certain purposes, be treated as contributions of the wrong class paid in error and as not properly payable) shall be modified to take effect as if the words "from two or more employments" were omitted.

(2) For the purposes of the said subsection as so modified—

(*a*) the prescribed amount shall, if the graduated contributions so paid amount to £14 or more, be £13 10s. 0d.;

(*b*) any payment for any voyage period, which falls partly in two or more income tax years, shall be apportioned between those income tax years proportionately to the length of the part of the voyage period occurring in each such income tax year; and

(*c*) sub-paragraph (*e*) of paragraph (6) of regulation 18 of the National Insurance (Contributions) Regulations, 1948, (which sub-paragraph has effect by virtue of the National Insurance (Graduated Contributions and Non-participating Employments—Miscellaneous Provisions) Regulations, 1960(a), and provides that for the purposes of that regulation the amount of graduated contributions in excess of the amount prescribed under the said subsection shall be treated as representing contributions paid under the erroneous belief that they were payable) shall apply in respect of remuneration to a seaman in respect of a single employment as such in any income tax year as it applies in respect of a person's remuneration from two or more employments in any income tax year.

(a) S.I. 1960/1210 (Pt. II, p. 2234, of this vol.).

Transitional Provisions

22.—(1) For the purposes of graduated contributions in respect of any payment of remuneration to a seaman on account of his employment as such, on a voyage which begins before the 6th April, 1961, there shall be disregarded any payment of remuneration—

(*a*) in respect of a voyage which ends before the 6th July, 1961, or in respect of any period of leave on pay immediately following that voyage;

(*b*) in the case of a voyage which ends on or after the 6th July, 1961, for such part of that voyage as occurred before the 6th April, 1961.

(2) For the purposes of graduated contributions in respect of any payment of remuneration to a seaman on account of his employment as such, any increase in the rate of graduated contributions provided by subsection (2) of section 1 of the National Insurance Act, 1959, (which subsection provides for increases in the rates of graduated contributions and the dates upon which they are to take effect) shall be disregarded if that payment is a payment of remuneration earned in a voyage period of which the greater part occurred before the date upon which the said subsection provides that increase shall take effect.".

6. The provisions contained in the Second Schedule to these regulations shall be included in the principal regulations as the First, Second and Third Schedules thereto respectively.

Dated this Twenty-first day of December, 1960.

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

Dated this Twenty-first day of December, 1960.

Michael Hughes-Young,
John Hill,
Two of the Lords Commissioners of Her Majesty's Treasury.

FIRST SCHEDULE

CONTAINING PROVISIONS OF THE PRINCIPAL REGULATIONS AS AMENDED BY THESE REGULATIONS*

PART I — Regulation 2

REGULATION 2 OF THE PRINCIPAL REGULATIONS AS AMENDED

Insurance of mariners

2.—(1) Subject to the provisions of paragraph (2) of this regulation, where a mariner—

(*a*) is employed as a mariner on board any British ship; or

(*b*) is employed as master or a member of the crew of any ship or vessel other than a British ship and—

* The words added by these regulations are shewn in italics.

(i) the contract in respect of the employment is entered into in the United Kingdom with a view to its performance (in whole or in part) while the ship or vessel is on her voyage ; and

(ii) the owner (or managing owner, if there is more than one owner) has a place of business in Great Britain ; or

(*c*) is a radio officer employed on board any ship or vessel, not being a mariner to whom sub-paragraph (*a*) or (*b*) of this paragraph applies ;

then, notwithstanding that he does not fulfil the conditions of section 1 of the Act (which section relates to the description and classification of insured persons), the mariner shall be insured under the Act and his employment shall be treated as an employed contributor's employment:

Provided that this paragraph, in so far as it treats employment as being an employed contributor's employment, shall not apply in respect of the employment of a person as a share fisherman not under contract of service unless that person either—

(*a*) during the twelve months immediately preceding the commencement of that employment has, or would but for his being unemployed or incapable of work have, been wholly or mainly engaged in, and derived his livelihood wholly or mainly from, employment as a share fisherman or such employment and any other employment as an employed person ; or

(*b*) if unable to satisfy the foregoing condition, may reasonably be expected so to be engaged and to derive his livelihood during the twelve months following the commencement of that employment ;

and in determining under this proviso the commencement of such employment, but for that purpose only, any such employment occurring before the appointed day shall be disregarded.

(2) Notwithstanding the provisions of the last preceding paragraph, a mariner employed as master or a member of the crew of any ship or vessel, who neither is domiciled nor has a place of residence in the United Kingdom, shall be excepted from insurance in respect of that employment, but the employer shall, nevertheless, be liable to pay under the Act, in respect of any such mariner employed on board a British ship—

(*a*) being a home-trade ship, the same contributions as he would otherwise have been liable to pay as employer's contributions in accordance with subsection (2) of section 2 of, and Part II of the First Schedule to, the Act ; and

(*b*) being a foreign-going ship which—

(i) is at a home-trade port, or

(ii) is sailing directly between two home-trade ports, or

(iii) is carrying passengers to or from a home-trade port and is a passenger ship, or

(iv) is carrying cargo to or from a home-trade port, or

(v) is sailing in ballast on a ballast voyage which begins or ends at a home-trade port, or

(vi) is engaged in the fishing industry, or

(vii) is not included in heads (i) to (vi) above but is sailing directly to or directly from a home-trade port,

contributions equal to one-half of the contributions which he would otherwise have been liable to pay as employer's contributions in accordance with subsection (2) of section 2 of, and Part II of the First Schedule to, the Act, subject to the qualification that where any such contribution would, apart from this provision, include a fraction of a penny, that fraction shall be disregarded if it is less than a halfpenny and shall be treated as a penny if it is a halfpenny or more:

Provided that—

(*a*) this paragraph shall have effect subject to any Order in Council giving effect to any reciprocal agreement made under section 64 of the Act (which

section relates to reciprocal agreements with Dominions, colonies and foreign countries); and

(*b*) the employer of any such mariner who is employed under a British whaling contract shall not be liable to pay any contributions in respect of him; and

(*c*) for the purposes of heads (iii) and (iv) of sub-paragraph (*b*) of this paragraph, carrying shall be deemed to begin when the embarkation of passengers or the loading of cargo, as the case may be, begins and shall be deemed to end when disembarkation or unloading, as the case may be, has been completed.

(3) Where a radio officer to whom sub-paragraph (*c*) of paragraph (1) of this regulation applies is paid remuneration in respect of that employment by some person other than the owner of the ship or vessel, that other person shall, if he has a place of business in Great Britain, be treated as the employer of that radio officer.

(4) In this regulation, the expression "radio officer" means an insured person who is a mariner employed as a member of the crew of any ship or vessel in connection with the radio apparatus of that ship or vessel, and holding a certificate of proficiency in radio telegraphy granted by the Postmaster General or by an authority empowered in that behalf by the legislature of some part of Her Majesty's dominions and recognised by the Postmaster General as equivalent to the like certificate granted by him.

(5) *Where—*

(*a*) *in relation to a mariner employed in an employment as master or a member of the crew of a ship or vessel, not being a ship or vessel used wholly or mainly for the disposal of sludge, the provisions of sub-paragraph* (*a*), (*b*) *or* (*c*) *of paragraph* (*1*) *of this regulation are satisfied, and he is not excepted from insurance in respect of that employment by virtue of paragraph* (2) *of this regulation, and*

(*b*) *upon the termination of a voyage ending during the period of that employment, he is entitled to a day or days of leave on pay, and*

(*c*) *that employment is terminated before the end of the period of leave on pay,*

the mariner shall be treated as if that employment continued throughout the period (hereafter in this paragraph referred to as "the said period") from the termination of that employment to the end of the period of leave on pay; and accordingly the mariner, if he would otherwise have ceased to be insured under the Act, shall continue to be so insured throughout the said period, and the employer who was the mariner's employer in that employment shall be treated, for the purposes of the provisions of the Act relating to contributions, as his employer throughout the said period.

(6) *In the foregoing paragraph and in the following provisions of these regulations, a "period of leave on pay" means, in relation to a mariner who, upon the termination of a voyage, is entitled to a day or days of leave on pay, a period immediately following the day on which that termination occurs and equal in length to the period of that leave.*

PART II Regulation 3

REGULATION 5 OF THE PRINCIPAL REGULATIONS AS AMENDED

Contributions of mariners employed as masters or members of the crews of any ships or vessels other than home-trade ships

5.—(1) In the case of a mariner employed as master or a member of the crew of any ship or vessel other than a home-trade ship, *including a mariner so employed who, by virtue of the provisions of paragraph* (*5*) *of regulation 2 of these regulations, is treated as if his employment as such continued until the end of a period of leave on pay,* the weekly rate of the employer's contributions payable in respect of him in accordance with subsection (2) of, and Part II of the First Schedule to, the Act shall be reduced—

(*a*) by eightpence, in the case of men and women over the age of eighteen; and

(*b*) by fourpence-halfpenny, in the case of boys and girls under the age of eighteen.

(2) In the case of every voyage of a ship or vessel other than a home-trade ship, contributions shall be paid in such manner as the Minister may from time to time direct, and, in default of any such direction, the employer shall—

(*a*) prepare a schedule showing the number of contributions payable in respect of all such mariners employed on board any such ship or vessel at any time during the voyage including the number of contributions (if any) payable by virtue of sub-paragraph (*b*) of paragraph (2) of regulation 2 *of these regulations or by virtue of paragraph (5) of that regulation;*

(*b*) furnish such particulars as the Minister may require in respect of every such mariner on a separate form (hereafter in this regulation called a " voyage card ");

(*c*) deliver the schedule and voyage cards to the appropriate superintendent or consular officer, or, in the case of fishing vessels, to the Minister, within seven clear days after the termination of the voyage, and at the same time pay to him the total amount of the contributions shown on the schedule:

Provided that where the agreement with the crew is a running agreement within the meaning of subsection (5) of section 115 or subsection (1) of section 403 of the Merchant Shipping Act, 1894, the voyage shall be deemed to commence and terminate at the dates of the commencement and termination of the agreement respectively, so, however, that, on every return to a port in the United Kingdom before the final termination of the agreement, the employer shall deliver, in the case of fishing vessels, to the Minister, and, in any other case, to the appropriate superintendent, a schedule and the appropriate voyage cards, together with the amount of the contributions due—

(*a*) within seven clear days of such return, in respect of any such mariners who have been discharged during the absence of the ship or vessel from the United Kingdom, or before the date of such delivery; and

(*b*) before the ship or vessel leaves port, in respect of any such mariners who have been discharged since the date of such delivery.

(3) The schedules and voyage cards shall be in such form as may from time to time be approved by the Minister, and shall be supplied to an employer without charge.

(4) Contributions paid by reference to a schedule and voyage card shall be treated as having been paid week by week in the course of the period in respect of which they were paid.

SECOND SCHEDULE Regulation 6

CONTAINING PROVISIONS TO BE INCLUDED IN THE PRINCIPAL REGULATIONS AS SCHEDULES THERETO

FIRST SCHEDULE Regulation 18 (3) (*a*) & (*d*)

Scale for pay period of a week or for a voyage period for which no or one weekly employer's contribution is payable

Amount of payment (1)	*Amount of contribution* (2)
£ s. d.	s. d.
9 0 1	1
9 5 0	4
9 10 0	6
9 15 0	9
10 0 0	11
10 5 0	1 2
10 10 0	1 5
10 15 0	1 7
11 0 0	1 10
11 5 0	2 0
11 10 0	2 3
11 15 0	2 5
12 0 0	2 8
12 5 0	2 10
12 10 0	3 1
12 15 0	3 4
13 0 0	3 6
13 5 0	3 9
13 10 0	3 11
13 15 0	4 2
14 0 0	4 4
14 5 0	4 7
14 10 0	4 9
14 15 0	5 0
15 0 0	5 1

SECOND SCHEDULE Regulation 18 (3) (*b*) & (*c*)

Scale for pay period of one month

Amount of payment (1)	*Amount of contribution* (2)
£ s. d.	£ s. d.
39 0 5	5
40 0 0	1 3
41 0 0	2 1
42 0 0	3 0
43 0 0	3 10
44 0 0	4 8
45 0 0	5 6
46 0 0	6 4
47 0 0	7 3
48 0 0	8 1
49 0 0	8 11
50 0 0	9 9
51 0 0	10 7
52 0 0	11 6
53 0 0	12 4
54 0 0	13 2
55 0 0	14 0
56 0 0	14 10
57 0 0	15 9
58 0 0	16 7
59 0 0	17 5
60 0 0	18 3
61 0 0	19 1
62 0 0	1 0 0
63 0 0	1 0 10
64 0 0	1 1 8
65 0 0	1 2 1

THIRD SCHEDULE Regulation 20 (2)

Scale for separate payment of overtime earned in last six days of voyage

Amount of payment (1)	*Amount of contribution* (2)
£1	10d.
£2	1s. 8d.
£3	2s. 6d.
£4	3s. 4d.
£5	4s. 2d.
£6 or more	5s. 0d.

EXPLANATORY NOTE

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

These Regulations amend the National Insurance (Mariners) Regulations, 1948, by making provisions relating to any period of leave on pay at the end of a mariner's voyage. The mariner and his employer are to pay contributions as if the mariner's employment had continued throughout any such period; and, if the mariner becomes employed again during the period, both he and his employer in the new employment are to have the right to pay contributions in respect of the new employment during the period of leave on pay, and any mariner's contributions so paid may be re-allocated or repaid. These provisions do not apply where the voyage is in a ship or vessel used wholly or mainly for the disposal of sludge.

The Regulations also add provisions which modify and supplement, in regard to a seaman, provisions in sections 1 and 2 of the National Insurance Act, 1959, determining liability for graduated contributions. They prescribe the manner in which contributions payable are to be calculated and specify the payments which are not to be taken into account in deciding, for graduated contribution purposes, the amount of a seaman's remuneration.

The report of the National Insurance Advisory Committee on the preliminary draft of these Regulations, dated the 28th November, 1960, is contained in the House of Commons Paper No. 21 (Session 1960-61) published by Her Majesty's Stationery Office.