ARTICLE 27

The present Agreement shall enter into force on the first day of April, 1956, and shall remain in force for a period of one year from that date. Thereafter it shall continue in force from year to year unless notice of termination is given in writing by either party at least six months before the expiry of any such yearly period.

Done at Wellington this 20th day of December, 1955.

For the Government of the United Kingdom of Great Britain and Northern Ireland:

G. A. P. SCOONES.

For the Government of New Zealand:

E. H. HALSTEAD.

EXPLANATORY NOTE

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

This Order gives effect in England, Wales and Scotland to the Agreement (set out in the Schedule) made between the Governments of the United Kingdom and of New Zealand, and modifies the National Insurance Acts, 1946 to 1955, in their application to persons affected by that Agreement.

SPECIAL CLASSES

1956 No. 2108

The National Insurance (Married Women) Amendment Regulations, 1956

Laid before Parliament in draft

Made - - - - 31*st December*, 1956

Coming into Operation 7*th January*, 1957

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, acting in conjunction with the Treasury, in exercise of the powers conferred by section 59 of the National Insurance Act, 1946(a), as amended by section 2 (6) of the Family Allowances and National Insurance Act, 1956(b), and of all other powers enabling him in that behalf, and in consequence of the last-mentioned Act, hereby makes the said regulations:—

Citation, interpretation and commencement

1. These regulations, which may be cited as the National Insurance (Married Women) Amendment Regulations, 1956, shall be read as one with

(a) 9 & 10 Geo. 6. c. 67. (b) 4 & 5 Eliz. 2. c. 50.

the National Insurance (Married Women) Regulations, 1948(a), as amended(b), (hereinafter referred to as " the principal regulations ") and shall come into operation on the seventh day after the date of this instrument.

Amendment of regulation 1 of the principal regulations

2. In paragraph (2) of regulation 1 of the principal regulations (which makes provision for their interpretation) the following definitions shall be inserted after the definition of " marriage " :—

" ' the Industrial Injuries Act ' means the National Insurance (Industrial Injuries) Act, 1946(c) ;

' the Overlapping Benefits Regulations ' means the National Insurance (Overlapping Benefits) Regulations, 1948(d) ;

' personal benefit ', ' Personal Injuries Scheme ', ' Service Pensions Instrument ' and ' 1914-1918 War Injuries Scheme ' have the same meanings as in the Overlapping Benefits Regulations ;

' appropriate weekly rate ' means, in relation to any benefit, the weekly rate of personal benefit by way of benefit of that description which is appropriate in the case of the person in relation to whom the provision containing that expression is to be applied ;

' widow's basic pension ' has the same meaning as in the National Insurance (Pensions, Existing Beneficiaries and Other Persons) (Transitional) Regulations, 1948(e) ; ".

Provisions added to principal regulations

3. The following provisions shall be added after regulation 8 of the principal regulations :—

" *Modifications, in relation to widows, of provisions with respect to unemployment and sickness benefit and retirement pensions*

8A.—(1) Subject to the following provisions of this regulation, where, otherwise than by reason of remarriage or cohabitation with a man as his wife, a woman either ceases to be entitled to a widow's allowance or ceases to be entitled to a widowed mother's allowance but in the latter case without becoming entitled under the Act to a widow's pension or a retirement pension—

(*a*) she shall be deemed to have satisfied, as respects the twenty-six contributions required to have been paid, the contribution conditions for unemployment and sickness benefit ;

(*b*) for the purpose of her satisfying, as respects the fifty contributions required to have been paid or credited in a contribution year, the contribution conditions for unemployment and sickness benefit and of her satisfying the conditions attaching to exception from liability to pay, and to the crediting of, contributions which are contained in the Schedule to the National Insurance (Contributions) Regulations, 1948(f), a contribution as an employed person shall be credited to her for each week which began in the period commencing with the

(a) S.I. 1948/1470 (Rev. XVI, p. 123: 1948 I, p. 2795).
(b) S.9 and para. 15 of First Schedule, National Insurance Act, 1953 (1 & 2 Eliz. 2. c. 29), and S.I. 1954/163 (1954 I, p. 1381).
(c) 9 & 10 Geo. 6. c. 62.
(d) S.I. 1948/2711 (Rev. XVI, p. 196: 1948 I, p. 2657).
(e) S.I. 1948/55 (Rev. XVI, p. 36: 1948 I, p. 2822).
(f) S.I. 1948/1417 (Rev. XVI, p. 164: 1948 I, p. 2767).

(*c*) the operation of the provisions of the Overlapping Benefits Regulations;

(*d*) the operation of any provision of either the Act or any regulations made thereunder relating to earnings;

shall be treated as if she is or (as the case may be) was entitled thereto throughout that period.

(8) In determining for the purpose of paragraph (3) of this regulation whether a woman would be entitled to a widow's allowance but for the fact mentioned in that paragraph, a woman in whose case the Minister is satisfied that she would be so entitled but for that fact and for any one or more of the factors mentioned in the last foregoing paragraph shall be treated as if she would be so entitled but for that fact.

(9) A woman shall not be entitled by virtue of this regulation to an increase of unemployment benefit or sickness benefit in respect of a child or adult dependant for any period before she has paid twenty-six contributions of the appropriate class in respect of weeks beginning after she ceased to be entitled as is mentioned in paragraph (1) of this regulation.

(10) A woman who ceases to be entitled as is mentioned in paragraph (1) of this regulation on more than one occasion shall be entitled to the benefit of the provisions of that paragraph, subject as therein mentioned, on each such occasion:

Provided that, in relation to such a woman, the references in paragraphs (4), (5) and (9) of this regulation to her ceasing to be entitled as aforesaid shall be construed as references to the later or last of such occasions, so, however, that a woman who, after any occasion (hereafter in this paragraph called "the occasion in question") and before the next subsequent occasion, has satisfied, in relation to the occasion in question, the requirement of paying the twenty-six contributions referred to in the said paragraphs (4), (5) and (9), shall, in relation to any right to benefit arising by reason of the application of the provisions of the said paragraph (1) on the occasion in question, be relieved from any restriction on that right imposed by those paragraphs as if the provisions of the said paragraph (1) had not applied on any subsequent occasion.

(11) Where in accordance with the provisions of sub-paragraph (*b*) or sub-paragraph (*c*) of paragraph (1) of this regulation a contribution is credited or treated as paid for any week, any contribution under the Act otherwise credited, paid or treated as paid for that week shall be disregarded for the purpose specified in the said sub-paragraph (*b*) or sub-paragraph (*c*), as the case may be, but for all other purposes shall be taken into account to the exclusion of any contribution credited or treated as paid in accordance with the provisions of that sub-paragraph.

(12) Where, but for this paragraph, the provisions of the last foregoing regulation and the provisions of this regulation would be applicable for the purpose of determining a woman's right to unemployment benefit or sickness benefit for any day, her right thereto shall be determined by reference to the provisions of that one of those two regulations which is more favourable to her, to the exclusion of the provisions of the other.".

Transitory provisions

4.—(1) The provisions of regulation 8A added to the principal regulations by the last foregoing regulation shall apply—

(*a*) in relation to a widow who, having at any time before the date on which these regulations come into force been entitled to—

(i) a widow's allowance;

(ii) a widow's pension by virtue of subsection (3) of section 18 of the Act (which relates to the right of a widow to a widow's pension where she ceases to be entitled to widow's benefit at a time when she is by reason of any infirmity incapable of self-support and is under pensionable age);

(iii) a widowed mother's allowance by virtue of the provisions of regulation 4 of the National Insurance (Pensions, Existing Beneficiaries and Other Persons) (Transitional) Regulations, 1948; or

(iv) a widow's basic pension;

is not upon that date entitled to a widow's allowance, as if on that date she had ceased to be entitled to a widow's allowance; and

(*b*) in relation to a widow who, having been entitled, immediately before the said date, to a widow's pension by virtue of the said subsection (3), ceases, otherwise than by reason of remarriage or cohabitation with a man as his wife, to be entitled to such pension but without becoming entitled under any other provision of the Act to a widow's pension or a retirement pension, as if she had then ceased to be entitled to a widow's allowance:

Provided that the provisions of the said regulation 8A shall not apply by virtue of sub-paragraph (*a*) of this paragraph in relation to a widow who, before the said date and after she last became entitled to widow's benefit under the Act, remarried or was disqualified for the receipt of such benefit by reason of her cohabitation with a man as his wife or in relation to a widow who would have been entitled to widow's benefit under the Act for a period immediately before that date but for disqualification by reason of such cohabitation.

(2) A widow's pension which, for the purposes of the said section 18, is treated as if it were a pension payable by virtue of the said subsection (3) shall be so treated for the purposes of this regulation.

(3) In determining for the purpose of paragraph (1) of this regulation any question as to a woman's entitlement to widow's benefit or a retirement pension, the provisions of paragraph (7) of the said regulation 8A shall apply as if that question were a question for determination for the purpose of paragraph (1) of that regulation.

Dated this 31st day of December, nineteen hundred and fifty-six.

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

Dated this 27th day of December, nineteen hundred and fifty-six.

Martin Redmayne,
Gerald Wills,
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 add a new provision to the National Insurance (Married Women) Regulations, 1948, whereby a widow, on ceasing to be entitled to a widow's allowance or a widowed mother's allowance in certain circumstances, is deemed to satisfy the contribution conditions for unemployment and sickness benefit and retirement pension as respects the minimum number of contributions required to have been paid since her entry into insurance; she is also granted certain credits of contributions counting for unemployment and sickness benefit, is treated as having paid certain contributions counting for the purpose of additional days of unemployment benefit and is relieved from the possibility of exhausting her right to sickness benefit. The transitory provisions of the Regulations provide for conferring similar rights on certain existing widows not entitled to widow's allowance when the Regulations come into effect. The remaining provisions are of a minor or consequential character.

1956 No. 2021

The National Insurance (Residence and Persons Abroad) Amendment Regulations, 1956

Made - - - -	18*th December*, 1956
Laid before Parliament	21*st December*, 1956
Coming into Operation	22*nd December*, 1956

The Minister of Pensions and National Insurance, in conjunction with the Treasury, in exercise of the powers conferred by section 60 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 (Residence and Persons Abroad) Amendment Regulations, 1956, shall be read as one with the National Insurance (Residence and Persons Abroad) Regulations, 1948(**b**), as amended(**c**) (hereinafter referred to as "the principal regulations") and shall come into operation on the 22nd December, 1956.

(**a**) 9 & 10 Geo. 6. c. 67.
(**b**) S.I. 1948/1275 (Rev. XVI, p. 88: 1948 I, p. 2864).
(**c**) S.I. 1950/1264, 1946, 1952/1407 (1950 II, pp. 24, 27; 1952 II, p. 2205); reg. 21 and Second Schedule, National Insurance (Maternity Benefit and Miscellaneous Provisions) Regulations, 1954 (S.I. 1954/189 (1954 I, p. 1387)); S.I. 1955/983 (1955 I, p. 1624).