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.

1957 No. 269

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

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.

(**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.

(*g*) Where any such woman or the wife of any such man is or may be entitled to a retirement pension by virtue of her own insurance as well as to a retirement pension by virtue of her husband's insurance and makes a claim for retirement pension or gives notice of retirement in accordance with the provisions of this regulation, such claim or notice shall be a valid claim or notice for the purposes of both retirement pensions.

(*h*) For the purpose of facilitating the determination of a subsequent claim for retirement pension payable by virtue of any such man's insurance, the wife of any such man may at any time not more than sixteen months before the date on which she will attain pensionable age, and notwithstanding that she does not intend to retire from regular employment at that date, submit particulars in writing to the Minister in a form approved by him for that purpose with a view to the determination (in advance of a claim) of any questions under the Act relating to that wife's title to a retirement pension other than the question of retirement, and, subject to the necessary modifications, the provisions of Part II of the National Insurance (Claims and Payments) Regulations, 1948, shall apply to any such particulars."

(2) This regulation shall not have effect after the 31st December, 1958.

Dated this 16th day of February, 1957.

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

Dated this 19th day of February, 1957.

Peter Legh,
Edward Wakefield,
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 provide that, in relation to retirement pensions for new entrants who were immediately before the 5th July, 1948 over fifty-five, in the case of men, and fifty, in the case of women, and under pensionable age, claims for pension and notices of retirement may be made and given at any time not more than sixteen months before the date of entitlement to pension and the date of retirement respectively.

The preliminary draft of these Regulations (described on its publication as the preliminary draft of the National Insurance (New Entrants Transitional) Amendment Regulations, 1956) 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 13th December, 1956, is contained in House of Commons Paper No. 91 (Session 1956–57) published by Her Majesty's Stationery Office.