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 (Northern Ireland), 1948, by extending the provisions of those regulations, which make exceptions from disqualification for receipt of unemployment and sickness benefit by reason of absence from Northern Ireland, and by applying those provisions to certain persons who travel to commence employment as mariners abroad. They provide that the provisions of those regulations which suspend payment of benefit to mariners while absent from Northern Ireland shall cease to have effect. The remaining alterations are of a minor and consequential character.

New Entrants Transitional Amendment Regulations (Northern Ireland), 1958

REGULATIONS, DATED 3RD JULY, 1958, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE, IN CONJUNCTION WITH THE MINISTRY OF FINANCE, UNDER THE NATIONAL INSURANCE ACT (NORTHERN IRELAND), 1946.

1958. No. 108 **[C]**

The Ministry of Labour and National Insurance, in conjunction with the Ministry of Finance, in exercise of powers conferred by section 68 of the National Insurance Act (Northern Ireland), 1946(a), and of all other powers enabling it 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 (Northern Ireland), 1958, shall be read as one with the National Insurance (New Entrants Transitional) Regulations (Northern Ireland), 1948(b), (hereinafter referred to as "the principal regulations") and shall come into operation on the 5th July, 1958.

Amendment of regulation 2 of the principal regulations

2.—(1) Regulation 2 of the principal regulations (which relates to modification of the Act in relation to the period over which the yearly average of contributions is to be calculated in the case of new entrants and certain other persons) shall be amended in accordance with the provisions of the next following paragraphs and shall accordingly have effect as set out in the Schedule.

(2) In paragraph (1) of regulation 2 of the principal regulations for the words "Subject to paragraph (2)" there shall be substituted the words "Subject to paragraphs (1A) and (2)".

(a) 1946. c. 23.
(b) S.R. & O. (N.I.) 1948, No. 221 as amended by S.R. & O. (N.I.) 1951, No. 154; S.R. & O. (N.I.) 1952, No. 137; S.R. & O. (N.I.) 1955, No. 7; S.R. & O. (N.I.) 1957, No. 44; S.R. & O. (N.I.) 1957, No. 182; and S.R. & O. (N.I.) 1957, No. 269.

(3) After paragraph (1) of regulation 2 of the principal regulations there shall be inserted the following paragraph:—

"(1A) Any provision of the Act and of any regulation made thereunder whereby, for the purposes of the right to retirement pension of a woman by virtue of her own insurance, the yearly average of the contributions paid by or credited to her husband falls to be ascertained as at a specified date shall have effect in relation to a man to whom paragraph (1) of this regulation would otherwise have been applicable, and in whose case such date occurred in the contribution year which included the appointed day, as if the said yearly average were the number of contributions (not exceeding fifty-two) which bears the same proportion to the number of contribution weeks in the said contribution year as the number of contributions paid by or credited to him bears to the number of contribution weeks in the period from the beginning of that contribution year up to and including the contribution week preceding that in which the said date occurred."

Sealed with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this 3rd day of July, 1958, in the presence of

(L.S.) *H. A. Lowry,*
Assistant Secretary to the Ministry of Labour and National Insurance for Northern Ireland.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 3rd day of July, 1958, in the presence of

(L.S.) *W. W. Arthur,*
Assistant Secretary to the Ministry of Finance for Northern Ireland.

SCHEDULE Regulation 2

CONTAINING REGULATION 2 OF THE PRINCIPAL REGULATIONS AS AMENDED*

Modification of the Act in relation to period over which yearly average of contributions is to be calculated in the case of new entrants, etc.

2.—(1) *Subject to paragraphs* (1A) *and* (2) of this regulation, the yearly average of contributions paid by or credited to any person becoming insured under the Act on or after the appointed day who—

(*a*) immediately before that day is under pensionable age and on that day is over the age of sixteen; but

(*b*) is not an existing contributor within the meaning of regulation 2 of the National Insurance (Pensions,

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

Existing Contributors) (Transitional) Regulations (Northern Ireland), 1948;

shall be calculated only over the period—

(i) beginning with the beginning of the contribution year in which the appointed day occurs; and

(ii) ending with the end of the last complete contribution year before the date as at which that average is to be ascertained.

(1A) *Any provision of the Act and of any regulation made thereunder whereby, for the purposes of the right to retirement pension of a woman by virtue of her own insurance, the yearly average of the contributions paid by or credited to her husband falls to be ascertained as at a specified date shall have effect in relation to a man to whom paragraph* (1) *of this regulation would otherwise have been applicable, and in whose case such date occurred in the contribution year which included the appointed day, as if the said yearly average were the number of contributions (not exceeding fifty-two) which bears the same proportion to the number of contribution weeks in the said contribution year as the number of contributions paid by or credited to him bears to the number of contribution weeks in the period from the beginning of that contribution year up to and including the contribution week preceding that in which the said date occurred.*

(2) In the case of any person (to whom the provisions of paragraph (1) of this regulation would otherwise be applicable) being a widow to whom paragraph (1) of regulation 5 applies, and who is immediately before the appointed day over the age of fifty-five, the said yearly average shall be calculated only over the period—

(*a*) beginning with the beginning of the contribution year in which she attained the age of fifty-five; and

(*b*) ending with the end of the last complete contribution year before the date on which she attains the age of sixty.

(3) For the purpose of calculating the said yearly average—

(*a*) in the case of any person to whom paragraph (1) of this regulation applies who enters (or, in the case of a woman who is or has been married, re-enters) insurance after the appointed day; and

(*b*) in the case of any person to whom paragraph (2) of this regulation applies;

any contributions credited to that person in respect of any period under regulation 12 of the Contributions Regulations (which regulation relates to pre-entry credits) shall be disregarded, and a contribution shall be credited to that person for any contribution week in the period over which the said yearly average is to be calculated and ending before the appointed day.

(4) The provisions of paragraphs (1) and (3) of this regulation shall also apply for the purpose of the contribution conditions for retirement pension (not being such a pension for

a widow by virtue of her husband's insurance) in the case of any person referred to in sub-paragraph (*a*) of the said paragraph (1) who immediately before the appointed day is an existing contributor under the Contributory Pensions Acts for the purposes of widows' pensions and orphans' pensions only.

EXPLANATORY NOTE

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

These regulations provide, for the purposes of the right to retirement pension of a woman by virtue of her own insurance, a method of calculating the yearly average of contributions of a husband who was not insured immediately before 5th July, 1948, and who attained the age of sixty-five or whose marriage terminated by death or otherwise before the expiration of the contribution year in which 5th July, 1948, occurred.

New Entrants Transitional Amendment (No. 2) Regulations (Northern Ireland), 1958.

REGULATIONS, DATED 30TH JULY, 1958, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE, IN CONJUNCTION WITH THE MINISTRY OF FINANCE, UNDER THE NATIONAL INSURANCE ACT (NORTHERN IRELAND), 1946.

1958. No. 133 [C]

The Ministry of Labour and National Insurance, in conjunction with the Ministry of Finance, in exercise of powers conferred by section 68 of the National Insurance Act (Northern Ireland), 1946(a), and of all other powers enabling it 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 (No. 2) Regulations (Northern Ireland), 1958, shall be read as one with the National Insurance (New Entrants Transitional) Regulations (Northern Ireland), 1948(b), (hereinafter referred to as "the principal regulations") and shall come into operation on the second day of August, 1958.

Addition to the principal regulations

2. After regulation 4 of the principal regulations there shall be added the following regulation:—

(a) 1946. c. 23.
(b) S.R. & O. (N.I.) 1948, No. 221 as amended by S.R. & O. (N.I.) 1951, No. 154; S.R. & O. (N.I.) 1952, No. 137; S.R. & O. (N.I.) 1955, No. 7; S.R. & O. (N.I.) 1957, No. 44; S.R. & O. (N.I.) 1957, No. 182; S.R. & O. (N.I.) 1957, No. 269; and S.R. & O. (N.I.) 1958, No. 108.