EXPLANATORY NOTE

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

These Regulations (which replace the National Insurance (New Entrants Transitional) Provisional Regulations, 1948—S.I. 1948 No. 1426) contain various modifications of the National Insurance Act, 1946, principally for the purposes of retirement pensions and widow's benefit, in relation to persons who on the appointed day (5th July, 1948) were over the age of sixteen and under pensionable age and who did not come within the scope of the Contributory Pensions Acts. The main modifications relate (*a*) to the yearly average of contributions for the purposes of retirement pensions and widow's benefit; (*b*) to the substitution of the date of first entry into insurance for the date of marriage as the commencement of the period of calculation of contributions under section 21 (5) of the National Insurance Act, 1946, in the case of women who were married before the appointed day; (*c*) (in certain cases) to the postponement of pensionable age (ten years after the appointed day) for the purposes of retirement pensions and widow's benefit, the payment of contributions, and the right of electing not to be qualified for a retirement pension and a consequential refund of moneys in respect of paid contributions; (*d*) to the removal of the contribution condition relating to retirement pensions contained in paragraph 4 (1) (*a*) of the Third Schedule to that Act in the case of certain widows over fifty and under pensionable age on the appointed day; and (*e*) to the contribution conditions for unemployment, sickness and maternity benefit in the case of certain persons who were over school leaving age and under pensionable age immediately before the appointed day. The remaining provisions are of a minor or consequential character.

The preliminary draft of these Regulations 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 20th December, 1948, is contained in the House of Commons Paper No. 95 published by His Majesty's Stationery Office.

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11. PENSIONS, ETC.

(1) *Pensions, Existing Beneficiaries and Other Persons.*
(2) *Pensions, Existing Contributors,* p. 2746.
(3) *Modification of Local Government Superannuation Schemes,* p. 2750.

(1) PENSIONS, EXISTING BENEFICIARIES AND OTHER PERSONS

The National Insurance (Pensions, Existing Beneficiaries and Other Persons) (Transitional) Amendment Regulations, 1949

1949 No. 1151

Made - - - -	21*st June,* 1949
Laid before Parliament	22*nd June,* 1949
Coming into Operation	24*th June,* 1949

M.N.I. 162.

The Minister of National Insurance, acting in conjunction with the Treasury, in exercise of powers conferred by section 65 of the National Insurance Act,

1946(a), and of all other powers enabling him in that behalf, hereby makes the following regulations:—

Citation and Commencement

1. These regulations, which may be cited as the National Insurance (Pensions, Existing Beneficiaries and Other Persons) (Transitional) Amendment Regulations, 1949, shall be read as one with the National Insurance (Pensions, Existing Beneficiaries and Other Persons) (Transitional) Regulations, 1948(b) (hereinafter referred to as " the principal regulations ") and shall come into operation on the 24th June, 1949.

Amendment of the principal regulations

2. The following amendments shall be made in the principal regulations:—

(1) In paragraph (*b*) of the proviso to paragraph (2) of regulation 3 (which former paragraph provides that a contributory old age pension shall not be treated as a retirement pension for the purposes of certain provisions of the Act), after the words " the provisions of " there shall be inserted the words " paragraph (*a*) of subsection (1) of section 17 of the Act (which paragraph relates to the conditions for a widow's allowance)," and the word " subsections " shall be substituted for the word " provisions " where that word occurs in brackets.

(2) The following words shall be added at the end of paragraph (3) of regulation 6 (which paragraph applies with modifications the provisions of section 21 of the Act to the wife of an existing old age pensioner):—

", and subject to the modification that instead of subsection (4) of section 20 of the Act applying in her case by virtue of subsection (3) of the said section 21 (which provisions together provide for increases in retirement pensions payable in respect of the husband's insurance based on contributions paid by the husband), the following provision shall apply, namely, the weekly rate of the retirement pension (including any retirement pension payable to a wife at a reduced rate by virtue of the provisions of regulation 10) shall be increased by one shilling for every twelve months which have elapsed in the period from the date on which she would but for the Act have become entitled to an old age pension under or by virtue of the Contributory Pensions Acts in respect of her husband's insurance up to the date of her husband attaining the age of seventy or retiring from regular employment, whichever date occurs first:

Provided that for the purpose of this provision any period in respect of which she is, or but for any disqualification would have been, entitled to a retirement pension by virtue of her own insurance shall not be taken into account."

(3) The following regulation shall be inserted after regulation 23:—

" *Special provision relating to existing widow pensioners*

24. Regulation 3 of the National Insurance (Widow's Benefit and Retirement Pensions) Regulations, 1948(c) (which relates to the condition as to duration of marriage in relation to widows' pensions in the case of widows who have been married more than once) shall apply to a widow who was an existing widow pensioner as if the references therein to any periods during which she was entitled to widow's benefit

(a) 9 & 10 Geo. 6. c. 67. (b) S.I. 1948 (No. 55) I, p. 2822.
(c) S.I. 1948 (No. 1261) I, p. 2704.

included references to any periods during which she was entitled to a widow's pension under the Contributory Pensions Acts in so far as that pension included an additional allowance in respect of a child or children."

Dated this 21st day of June, 1949.

James Griffiths,
Minister of National Insurance.

Wm. Hannan,
Joseph Henderson,
Two of the Lords Commissioners of His Majesty's Treasury.

EXPLANATORY NOTE

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

These Regulations contain miscellaneous transitional provisions. They provide that a widow over pensionable age shall not be precluded from being entitled to a widow's allowance by reason of her husband having been entitled to a contributory old age pension; that the wife of a man who was an existing old age pensioner under the Widows', Orphans, and Old Age Contributory Pensions Acts, 1936 to 1941, shall be entitled to an increase in the weekly rate of a retirement pension in right of his insurance based on the period elapsing between the date on which she would have become so entitled to an old age pension under those Acts and the date on which her husband attained seventy or retired from regular employment (whichever date occurred first); and that the special provisions contained in regulation 3 of the National Insurance (Widows, Benefit and Retirement Pensions) Regulations, 1948 (which in computing the duration of the last marriage of a widow who has been married more than once, enables certain periods not forming part of that marriage to be taken into account) shall be extended to include any period during which a widow who was an existing widow pensioner under the above-mentioned Contributory Pensions Acts was entitled to a widow's pension and an additional allowance under those Acts.

(2) PENSIONS, EXISTING CONTRIBUTORS

The National Insurance (Pensions, Existing Contributors) (Transitional) Amendment Regulations, 1949

1949 No. 1150

Made - - - -	21*st June*, 1949
Laid before Parliament	22*nd June*, 1949
Coming into Operation	24*th June*, 1949

M.N.I. 163

The Minister of National Insurance, acting in conjunction with the Treasury, in exercise of powers conferred by section 65 of the National Insurance Act, 1946(**a**), and of all other powers enabling him in that behalf, hereby makes the following regulations:—

Citation and commencement

1. These regulations, which may be cited as the National Insurance (Pensions, Existing Contributors) (Transitional) Amendment Regulations, 1949,

(**a**) 9 & 10 Geo. 6. c. 67.