1962. No. 29 **[C]**

NATIONAL INSURANCE

Married Women

REGULATIONS, DATED 1ST MARCH, 1962, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE, IN CONJUNCTION WITH THE MINISTRY OF FINANCE, UNDER THE NATIONAL INSURANCE ACT (NORTHERN IRELAND), 1946.

These Regulations were revoked by S.R. & O. (N.I.) 1962, No. 64.

1962. No. 30 **[C]**

NATIONAL INSURANCE

Contributions

REGULATIONS, DATED 1ST MARCH, 1962, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE, IN CONJUNCTION WITH THE MINISTRY OF FINANCE, UNDER THE NATIONAL INSURANCE ACT (NORTHERN IRELAND), 1946.

These Regulations were revoked by S.R. & O. (N.I.) 1962, No. 65.

1962. No. 31 **[C]**

NATIONAL INSURANCE

Pensions, Existing Contributors

REGULATIONS, DATED 1ST MARCH, 1962, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE, IN CONJUNCTION WITH THE MINISTRY OF FINANCE, UNDER THE NATIONAL INSURANCE ACTS (NORTHERN IRELAND), 1946 TO 1962.

The Ministry of Labour and National Insurance, in conjunction with the Ministry of Finance, in exercise of powers conferred by section 62 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 and commencement

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

(a) 1946. c. 23.

(Northern Ireland), 1962, shall be read as one with the National Insurance (Pensions, Existing Contributors) (Transitional) Regulations (Northern Ireland), 1948(a) (hereinafter referred to as "the principal regulations"), and shall come into operation on the 5th day of March, 1962.

Amendment of the principal regulations

2.—(1) In the principal regulations, after regulation 8 thereof, there shall be inserted the following regulation:

"Election, under section 20(6) *of the Act, by the widow of an existing pensions contributor*

8A.—(1) Where, in accordance with an election made by a widow under sub-section (6) of section 20 of the Act (which provides that where a woman, immediately before attaining pensionable age, is a widow, account may be taken of her husband's contributions for the purpose of her right to a retirement pension by virtue of her own insurance) a number of contributions equal to the yearly average (ascertained as at the date of her husband's attaining pensionable age or dying under that age) of the contributions paid by or credited to her husband is to be treated as having been paid by or credited to her for any period, that yearly average shall, if he was an existing pensions contributor, be—

(*a*) the yearly average (so ascertained) of the contributions which were required, or would have been required, to be taken into account for the purpose of his right to a retirement pension; or

(*b*) in the case of a widow who, immediately before attaining pensionable age, was entitled to widow's benefit (other than a widow's basic pension) by virtue of his insurance, the yearly average (so ascertained) of the contributions which were required to be taken into account for the purpose of her right to that benefit, if that yearly average is the higher.

(2) For the purposes of sub-paragraph (*b*) of paragraph (1), a widow who, immediately before attaining pensionable age, would have been entitled to widow's benefit as therein mentioned but for any one or more of the following factors, namely—

(*a*) disqualification for the receipt of benefit for any reason;

(*b*) the operation of any provision relating to overlapping benefits made under section 29 of the Act;

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

shall be treated as if she had then been so entitled thereto; and, in relation to such a widow, the reference in that sub-paragraph to the contributions which were required to be taken into account for the purpose of her right to that benefit shall be construed as a reference to the contributions which would have been required to be taken into account for that purpose."

(2) In relation to any retirement pension payable to the widow of an existing pensions contributor by virtue of her own insurance, the foregoing provisions of this regulation shall not affect the weekly rate thereof for any period before the coming into operation of these regulations.

(a) S.R. & O. (N.I.) 1948, No. 129 as amended by S.R. & O. (N.I.) 1949, No. 130; No. 159; 1951, No. 110; No. 154; 1952, No. 133; No. 137; 1953, No. 108; 1955, No. 7; No. 8; 1956, No. 138; 1957, No. 181; No. 235; No. 269; 1960, No. 123; No. 194 and 1961, No. 3.