EXPLANATORY NOTE

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

These Regulations amend the National Insurance (Contributions) Regulations, 1948 (hereinafter referred to as " the Contributions Regulations "). They provide periods within which persons who have been in prison or detained in legal custody, or have resumed full-time education or full-time unpaid apprenticeship, may pay contributions under the Contributions Regulations. The Regulations also apply to contributions which a person is, under the Contributions Regulations or the National Insurance (Residence and Persons Abroad) Regulations, 1948, entitled, but not liable to pay, the provisions of the Contributions Regulations concerning the circumstances in which and the times at which contributions which are paid after the date on which they became due are treated as paid for the purpose of any right to benefit under the National Insurance Act, 1946. Those provisions are, however, relaxed in relation to contributions for which an extended period is allowed for payment under either of those regulations. 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 October, 1950, is contained in House of Commons Paper No. 25 published by His Majesty's Stationery Office.

RESIDENCE AND PERSONS ABROAD

The National Insurance (Residence and Persons Abroad) Amendment Regulations, 1950

1950 No. 1264

Made - - - -	28*th July*, 1950
Laid before Parliament	28*th July*, 1950
Coming into Operation	3*rd August*, 1950

M.N.I.191.

The Minister of National Insurance, in conjunction with the Treasury, in exercise of the powers conferred by section 1 of the National Insurance Act, 1946(**a**), and of all other powers enabling her 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, 1950, shall be read as one with the National Insurance (Residence and Persons Abroad) Regulations, 1948(**b**) (hereinafter referred to as " the principal regulations ") and shall come into operation on the 3rd August, 1950.

(**a**) 9 & 10 Geo. 6. c. 67. (**b**) S.I. 1948 (No. 1275) I, p. 2864.

Amendment of the principal regulations

2.—(1) Regulation 2 of the principal regulations shall be amended in accordance with the following provisions of this regulation, and shall accordingly have effect as set out in the Schedule hereto.

(2) In sub-paragraph (i) of paragraph (*a*) of the proviso to the said regulation 2, there shall be substituted for the words "paragraph (*b*)" the words "paragraphs (*b*) and (*c*)".

(3) After paragraph (*b*) of the proviso to the said regulation, there shall be added the following paragraph:—

"(*c*) where a person (not being an existing contributor within the meaning of any regulations made under section 65 of the Act) in relation to whom the provisions of the said sub-paragraph (i) would otherwise apply is not ordinarily resident in the United Kingdom, the foregoing condition shall apply if either—

(i) during a vacation occurring in a course of full time studies which he is pursuing outside the United Kingdom, he is gainfully occupied under a contract of service in Great Britain in temporary employment of a nature similar or related to that course of studies; or

(ii) there exists between him (not being a person in relation to whom the provisions of the last preceding paragraph of this proviso apply) and some other person outside the United Kingdom a relationship comparable with the relationship between an apprentice and his master in Great Britain, and he is gainfully occupied under a contract of service in Great Britain in employment (being employment which commenced before he attained the age of twenty-five and of which the duration is not expected to exceed, or does not in fact exceed, three months) which is of a nature similar or related to the employment under the said relationship outside the United Kingdom."

Dated this 28th day of July, 1950.

Edith Summerskill,
Minister of National Insurance.

W. A. Wilkins,
H. W. Bowden,
Two of the Lords Commissioners of His Majesty's Treasury.

SCHEDULE Regulation 2.

REGULATION 2 OF THE PRINCIPAL REGULATIONS AS AMENDED*

Condition as to residence in Great Britain

2. For the purposes of subsection (1) of section 1 of the Act (which subsection provides for persons who are in Great Britain becoming insured under the Act subject to such conditions as may be prescribed as to residence in Great Britain), the condition as to residence in Great Britain shall be that a person must have been resident in Great Britain for a continuous period of twenty-six weeks terminating on or after the appointed day and on or after attaining school leaving age:

* The amendments made by these regulations are shown in italics.

Provided that—

(*a*) this condition shall not apply to the following persons as from the respective dates mentioned below:—

(i) (subject to the provisions of paragraphs (*b*) *and* (*c*) of this proviso) in the case of a person who, but for the foregoing provision, would be an employed person—as from the date on which he becomes such a person;

(ii) in the case of a person who, but for the said foregoing provision, would be a self-employed person or a non-employed person and who notifies the Minister that this condition shall not apply to him—as from the date of such notification;

(iii) in the case of a person over school leaving age and under the age of eighteen who came to Great Britain for the purpose of receiving full time education or of becoming a full time unpaid apprentice not gainfully occupied—as from the date of the commencement of such education or apprenticeship, or, if the education or apprenticeship commenced before, and was still existing on, the appointed day, as from that day;

(*b*) where an employed person (not being an existing contributor within the meaning of any regulations made under section 65 of the Act) to whom the provisions of sub-paragraph (i) of the preceding paragraph of this proviso would otherwise apply is not ordinarily resident in the United Kingdom and either the employer of that person is not so ordinarily resident or the employer's principal place of business is not in the United Kingdom, the foregoing condition shall apply with the substitution of fifty-two weeks (weeks commencing before the appointed day being disregarded) for twenty-six weeks if, in the country in which the employed person is ordinarily resident, payments by the employer or the employed person in respect of the period of the employment are being made for the purpose of enabling him to qualify for benefits substantially similar to benefits provided under the Act;

(*c*) *where a person (not being an existing contributor within the meaning of any regulations made under section 65 of the Act) in relation to whom the provisions of the said sub-paragraph (i) would otherwise apply is not ordinarily resident in the United Kingdom, the foregoing condition shall apply if either—*

(i) during a vacation occurring in a course of full time studies which he is pursuing outside the United Kingdom, he is gainfully occupied under a contract of service in Great Britain in temporary employment of a nature similar or related to that course of studies; or

(ii) there exists between him (not being a person in relation to whom the provisions of the last preceding paragraph of this proviso apply) and some other person outside the United Kingdom a relationship comparable with the relationship between an apprentice and his master in Great Britain, and he is gainfully occupied under a contract of service in Great Britain in employment (being employment which commenced before he attained the age of twenty-five and of which the duration is not expected to exceed, or does not in fact exceed, three months) which is of a nature similar or related to the employment under the said relationship outside the United Kingdom.

EXPLANATORY NOTE

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

These Regulations amend the National Insurance (Residence and Persons Abroad) Regulations, 1948, so that, in certain cases, neither a student from outside the United Kingdom who, during a vacation, becomes temporarily employed in Great Britain, nor a person between whom and some other

person outside the United Kingdom there exists a relationship comparable with the relationship between an apprentice and his master in Great Britain and who becomes similarly employed in Great Britain, shall be insured under the National Insurance Act, 1946, unless he has been continuously resident in Great Britain for twenty-six weeks.

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 4th April, 1950, is contained in House of Commons Paper No. 144 published by His Majesty's Stationery Office.

The National Insurance (Residence and Persons Abroad) Amendment (No. 2) Regulations, 1950

1950 No. 1946

Made - - - -	*5th December*, 1950
Laid before Parliament	*5th December*, 1950
Coming into Operation	*11th December*, 1950

M.N.I. 195.

The Minister of 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 her 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 (No. 2) Regulations, 1950, 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 11th December, 1950.

Amendment of regulation 3 of the principal regulations

2.—(1) Regulation 3 of the principal regulations shall be amended in accordance with the following provisions of this regulation, and shall accordingly have effect as set out in the Schedule hereto.

(2) The proviso contained in sub-paragraph (*b*) of paragraph (2) of the said regulation 3 shall be omitted.

(3) In paragraph (3) of the said regulation 3, the words " has while outside Great Britain paid contributions as a non-employed person in accordance with the provisions of that sub-paragraph, and " shall be omitted, and there shall be substituted for the words " so paid " the words " as a non-employed person paid by him (whether before or after his return to Great Britain) in accordance with the provisions of that sub-paragraph ".

Amendment of regulation 5 of the principal regulations

3. Sub-paragraph (*b*) (ii) of paragraph (2) of regulation 5 of the principal regulations (which provision imposes a time limit for the exercise of the option to pay certain contributions) shall be omitted.

(a) 9 & 10 Geo. 6. c. 67. (b) S.I. 1948 (No. 1275) I, p. 2864.
(c) S.I. 1950 No. 1264, p. 24 above.