1952 No. 1407

The National Insurance (Residence and Persons Abroad) Amendment Regulations, 1952

Made - - - -	25*th July*, 1952
Laid before Parliament	29*th July*, 1952
Coming into Operation	1*st August*, 1952

The Minister of National Insurance, in conjunction with the Treasury so far as relates to matters with regard to which the Treasury have so directed, and in exercise of powers conferred by sections 14 and 29 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 (Residence and Persons Abroad) Amendment Regulations, 1952, 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 1st August, 1952.

Amendment of the principal regulations

2.—(1) Regulation 8 of the principal regulations (which relates to confinements occurring outside Great Britain) 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) At the beginning of paragraph (1) of the said regulation 8 there shall be inserted the words "Subject to the provisions of this regulation,".

(3) For sub-paragraph (*b*) of the said paragraph (1) there shall be substituted the following sub-paragraph:—

"(*b*) elsewhere outside Great Britain, if

(i) not less than forty-five contributions of the appropriate class have been paid by, or credited to, the relevant person in respect of the last complete contribution year before the relevant time, and

(ii) before the week in which the confinement occurs either of the alternative conditions contained in sub-paragraph (*b*) (i) of paragraph (2) of regulation 5 (and, where applicable, the provisions of sub-paragraph (*c*) of that paragraph) are satisfied by the relevant person, irrespective of whether the other provisions of that regulation are satisfied;".

(4) At the end of the said paragraph (1) there shall be inserted the following words:—

"For the purposes of this paragraph the expression "relevant person" means the person by whom the contribution conditions are to be satisfied: and the expression "relevant time" means the date of the confinement, or where the relevant person is the husband and he was dead or over pensionable age on that date, the date of his attaining pensionable age or dying under that age."

(**a**) 9 & 10 Geo. 6. c. 67. (**b**) S.I. 1948/1275; Rev. XVI, p. 88; 1948 I, p. 2864.
(**c**) S.I. 1950/1264, 1946; 1950 II, pp. 24, 27.

(5) Paragraph (2) of the said regulation 8 shall be omitted and the following new paragraph (2) inserted:—

"(2) The provisions of sub-paragraph (*b*) of the foregoing paragraph shall not apply—

(*a*) to a maternity grant or an attendance allowance payable to a woman by virtue only of her husband's insurance, unless at the time of the confinement she is residing with her husband, or, if he is then dead, unless she was residing with him at the time of his death; or

(*b*) to a maternity grant payable to a woman by virtue of a certificate that it is to be expected that she will be confined(a)".

Revocation of provisional regulations

3. The National Insurance (Residence and Persons Abroad) Amendment Provisional Regulations, 1952(b), are hereby revoked, but without prejudice to anything duly done or suffered, or to any right, privilege, obligation or liability acquired, accrued or incurred, thereunder.

Dated this 24th day of July, 1952.

Osbert Peake,
Minister of National Insurance.

Dated this 25th day of July, 1952.

Herbert Butcher,
Dennis Vosper,
Two of the Lords Commissioners of Her Majesty's Treasury.

SCHEDULE Regulation 2

REGULATION 8 OF THE PRINCIPAL REGULATIONS AS AMENDED*

8.—(1) *Subject to the provisions of this regulation,* a woman shall not be disentitled to a maternity grant or an attendance allowance by reason of the confinement occurring—

(*a*) in the Isle of Man or the Channel Islands; or

(*b*) elsewhere outside Great Britain, if

(i) not less than forty-five contributions of the appropriate class have been paid by, or credited to, the relevant person in respect of the last complete contribution year before the relevant time, and

(ii) before the week in which the confinement occurs either of the alternative conditions contained in sub-paragraph (b) (i) of paragraph (2) of regulation 5 (and, where applicable, the provisions of sub-paragraph (c) of that paragraph) are satisfied by the relevant person, irrespective of whether the other provisions of that regulation are satisfied;

and any such woman shall, in addition, not be disqualified for receiving any such benefit by reason of her being absent from Great Britain.

For the purposes of this paragraph the expression "relevant person" means the person by whom the contribution conditions are to be satisfied; and the expression "relevant time" means the date of the confinement, or where the relevant person is the husband and he was dead or over pensionable age on that date, the date of his attaining pensionable age or dying under that age.

(a) *See* s. 14 (6), National Insurance Act, 1946, and reg. 2, National Insurance (Maternity Benefit) Regulations, 1948 (S.I. 1948/1166; Rev. XVI, p. 192; 1948 I, p. 2635).
(b) S.I. 1952/1030.

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

(2) *The provisions of sub-paragraph (b) of the foregoing paragraph shall not apply—*

(a) to a maternity grant or attendance allowance payable to a woman by virtue only of her husband's insurance, unless at the time of the confinement she is residing with her husband, or, if he is dead, unless she was residing with him at the time of his death; or

(b) to a maternity grant payable to a woman by virtue of a certificate that it is to be expected that she will be confined.

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, by providing new conditions under which a woman confined outside Great Britain, the Isle of Man or the Channel Islands, may be paid maternity grant and attendance allowance, and they revoke the National Insurance (Residence and Persons Abroad) Amendment Provisional Regulations, 1952, which they replace.

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 24th June, 1952, is contained in House of Commons Paper No. 278 (Session 1951-52) published by Her Majesty's Stationery Office.

1952 No. 1466

The National Insurance (Seasonal Workers) Amendment Regulations, 1952

Made - - - -	1*st August*, 1952
Coming into Operation	15*th August*, 1952

The Minister of National Insurance, in conjunction with the Treasury, in exercise of powers conferred by section 13 (4) 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 (Seasonal Workers) Amendment Regulations, 1952, shall be read as one with the National Insurance (Seasonal Workers) Regulations, 1950(**b**) (hereinafter referred to as "the principal regulations") and the National Insurance (Seasonal Workers) (No. 2) Regulations, 1950(**c**), and shall come into operation on the fourteenth day after the date of this instrument.

(a) 9 & 10 Geo. 6. c. 67. (b) S.I. 1950/1220; 1950 II, p. 29.
(c) S.I. 1950/1915; 1950 II, p. 32.