(*b*) After the completion of the period for which contributions are payable under the preceding sub-paragraph, the insured person shall, for any week thereafter during the whole of which he is outside Great Britain, be entitled to pay contributions as a non-employed person.

(3) Where a person to whom sub-paragraph (*b*) of the preceding paragraph is applicable returns to Great Britain, any contribution *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* shall be treated as if it were a contribution paid by him in respect of an employed contributor's employment, provided that in respect of each contribution year commencing after the appointed day during the whole of which he was outside Great Britain not less than forty-five contributions of any class have been paid by or credited to him as an insured person.

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. They provide the period within which certain persons returning to Great Britain from abroad may pay contributions under Regulation 6 of those Regulations. They also remove the time limits for the exercise of the option to pay certain contributions and the present express requirement that contributions as a non-employed person paid in respect of a period abroad can only be treated under regulation 3 (3) of those regulations as paid in respect of an employed contributor's employment if the payment is made outside Great Britain.

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. 24 published by His Majesty's Stationery Office.

SEASONAL WORKERS

The National Insurance (Seasonal Workers) Regulations, 1950

1950 No. 1220

Made - - - -	25*th July*, 1950
Laid before Parliament	25*th July*, 1950
Coming into Operation	8*th August*, 1950

M.N.I. 193.

The Minister of National Insurance, in exercise of powers conferred by section 13 (4) of the National Insurance Act, 1946(**a**), and the National Insurance Joint Authority(**b**), in exercise of powers conferred by section 10 (3) of that Act, in conjunction with the Treasury, and in exercise of all other powers enabling them in that behalf, hereby make the following regulations*:—

* In accordance with section 76 (1) of the National Insurance Act, 1946, a draft of regulations 1 and 2 has been approved by each House of Parliament. The necessary Resolutions were passed by the House of Lords on the 19th July, 1950 and by the House of Commons on the 12th July, 1950.

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

(b) *See* s. 63 (2), National Insurance Act, 1946, and the National Insurance (Northern Ireland Reciprocal Arrangements) Regulations, 1948 (S.I. 1948 (No. 211) I, p. 2905).

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the National Insurance (Seasonal Workers) Regulations, 1950, and shall come into operation on the fourteenth day after the date of this instrument.

(2) In these regulations, unless the context otherwise requires,—

" the Act " means the National Insurance Act, 1946 ;

" employment " means employment in an employed contributor's employment(**a**), and the expression " employed " has a corresponding meaning ;

" employment exchange " means an employment exchange established and maintained by the Minister of Labour and National Service under section 2 of the Employment and Training Act, 1948(**b**) ;

" the determining authority " means, as the case may require, an insurance officer, a local tribunal or the National Insurance Commissioner appointed or constituted in accordance with the National Insurance (Determination of Claims and Questions) Regulations, 1948(**c**) ;

and other expressions have the same meanings as in the Act.

(3) References in these regulations to any enactment or regulations shall include references to such enactment or regulations as amended by any subsequent enactment, order or regulations.

(4) The Interpretation Act, 1889(**d**), applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

Additional condition with respect to the receipt of unemployment benefit

2.—(1) It shall be an additional condition with respect to the receipt of unemployment benefit by a seasonal worker in respect of any day during his off-season that—

(*a*) he has been registered for employment at an employment exchange throughout the period of two years immediately preceding that day, or, if he became a seasonal worker after the commencement of that period, from the day on which he became a seasonal worker until that day, other than (in either case) during any of the following periods, namely:—

(i) any period during which he was employed or was incapable of work ;

(ii) any inconsiderable period ;

(iii) any temporary period throughout which he was not available for employment by reason only of domestic necessity or compulsion of law, or by reason of any other circumstances which in the opinion of the determining authority are of an exceptional character ; and

(*b*) he proves either—

(i) that in his current off-season he has had a substantial amount of employment before that day ; or

(ii) that (having regard to all the circumstances of his case, including the nature and extent of his employment (if any) in any past off-seasons and the industrial or other relevant conditions normally obtaining in the district or districts in which he is available for employment) he can or could reasonably expect to obtain, after that day in his current off-season, employment which, together with his employment (if any) before that day in that off-season, constitutes a substantial amount of employment.

(**a**) *See* s. 1 (2), National Insurance Act, 1946.
(**b**) 11 & 12 Geo. 6. c. 46.
(**c**) S.I. 1948 (No. 1144) I, p. 2720.
(**d**) 52 & 53 Vict. c. 63.

(2) In this regulation and (where applicable) in regulation 3, the expression—

(*a*) " seasonal worker " means an insured person(a) whose normal employment is for a part or parts only of a year in an occupation or occupations of which the availability or extent varies with the season of the year; or any other insured person who normally restricts his employment to the same, or substantially the same, part or parts only of the year;

(*b*) " off-season " means, in relation to a seasonal worker, that part, or, if more than one part, those parts, of the year during which he is not normally employed;

(*c*) " year " (where used in this paragraph) means the period of twelve months commencing with the first day in the calendar year on which the person concerned begins a period of normal employment;

(*d*) " a substantial amount of employment " means employment which is equal in duration to not less than one-fourth (or such other fractional part as the determining authority may, in the circumstances of any particular case, consider reasonable) of the current off-season.

Regs. 3 *and* 4 *were revoked and replaced by S.I.* 1950, *No.* 1915, *see p.* 32 *below.*

Given under the official seal of the Minister of National Insurance this 25th day of July, nineteen hundred and fifty.

(L.S.) *Edith Summerskill,*
Minister of National Insurance.

Given under the official seal of the National Insurance Joint Authority this 25th day of July, nineteen hundred and fifty.

(L.S.) *T. C. Stephens,*
Secretary,
National Insurance Joint Authority.

Wm. Hannan,
H. W. Bowden,
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 prescribe additional conditions for the receipt of unemployment benefit by seasonal workers (as defined in Regulation 2 (2) (*a*)) in periods when they are not normally employed. They also, in certain circumstances, enable contributions as a self-employed or non-employed person to be taken into account for the receipt of unemployment benefit in the case of seasonal workers for days of unemployment in periods when they are normally employed. The Regulations revoke regulation 11 of the National Insurance (Unemployment Benefit) (Transitional) Regulations, 1948.

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 16th June, 1950, is contained in the House of Commons Paper No. 92, published by His Majesty's Stationery Office.

(a) *See* s. 78 (1), National Insurance Act, 1946.