1966. No. 196 **[C]**

NATIONAL INSURANCE

Overlapping Benefits and Hospital In-Patients

REGULATIONS, DATED 19TH AUGUST 1966, MADE BY THE NATIONAL INSURANCE JOINT AUTHORITY, IN CONJUNCTION WITH THE MINISTRY OF FINANCE, UNDER THE NATIONAL INSURANCE ACT (NORTHERN IRELAND) 1966.

The National Insurance Joint Authority, in conjunction with the Ministry of Finance so far as relates to matters with regard to which the Ministry of Finance has so directed, in exercise of powers conferred by sections 49 and 50 of the National Insurance Act (Northern Ireland) 1966(**a**), and of all other powers enabling them in that behalf, hereby make the following regulations:

Citation and commencement

1. These regulations, which may be cited as the National Insurance (Overlapping Benefits and Hospital In-Patients) Amendment Regulations (Northern Ireland) 1966, shall be read as one with the National Insurance (Overlapping Benefits) Regulations (Northern Ireland) 1961(**b**) (hereinafter referred to as "the Overlapping Benefits Regulations") and the National Insurance (Hospital In-Patients) Regulations (Northern Ireland) 1961(**c**) (hereinafter referred to as "the Hospital In-Patients Regulations") in so far as they relate to matters respectively dealt with by those regulations, and shall come into operation on 5th October 1966.

Provisions added to the Overlapping Benefits Regulations

2.—(1) In regulation 2(1)(*b*) of the Overlapping Benefits Regulations (adjustment of personal benefits under the Act) for the words "subject to the provisions of paragraph (2) of regulation 3" there shall be substituted the words "subject to the provisions of paragraphs (2) and (3) of regulation 3" and regulation 3 of the said regulations (exceptions to the general rule as to adjustment of personal benefit) shall be amended by the addition thereto after paragraph (2) of the following paragraph:

"(3) Where for any period personal benefits under the Act are or, but for these regulations, would be payable to a widow by way of widow's allowance and retirement pension by virtue of the widow's own insurance, and the widow's allowance, apart from any increase thereof by way of widow's supplementary allowance under section 4(1) of the National Insurance (No. 2) Act (Northern Ireland) 1966(**d**), is or, but for these regulations, would be payable at a lower weekly rate than the retirement pension, apart from any addition thereto under sections 33(1) or 36(1) of the National Insurance Act (Northern Ireland) 1966, then the widow's allowance, in so far as it consists of widow's supplementary allowance under the said section 4(1), and the retirement pension, except in so far as it includes any addition under the said sections 33(1) or 36(1), shall not be adjusted by reference to each other."

(2) After regulation 12 of the Overlapping Benefits Regulations, there shall be inserted the following regulation:

(a) 1966. c. 6 (N.I.).
(b) S.R. & O. (N.I.) 1961, No. 180.
(c) S.R. & O. (N.I.) 1961, No. 179.
(d) 1966. c. 16 (N.I.).

"Widow's allowance to be treated as payable for the purposes of widow's supplementary allowance

12A. A widow to whom widow's allowance under section 25 of the National Insurance Act (Northern Ireland) 1966 would be payable but for these regulations shall be treated for the purposes of any right to widow's supplementary allowance under section 4(1) of the National Insurance (No. 2) Act (Northern Ireland) 1966, but for those purposes only, as if the allowance under the said section 25 was payable."

(3) At the end of the First Schedule to the Overlapping Benefits Regulations (cases in which personal benefits under the Act are not required to be adjusted) there shall be added the paragraphs set out in the Schedule to these regulations.

Amendment to the Hospital In-Patients Regulations

3. In regulation 1(2) of the Hospital In-Patients Regulations (provisions for their interpretation), for the definition of "personal benefit" there shall be substituted the following definition:

> "'personal benefit' means that benefit which, apart from these regulations, is payable to a person otherwise than in respect of another person who is a child or an adult dependant, but shall not include earnings-related supplement under section 2 of the National Insurance (No. 2) Act (Northern Ireland) 1966 or widow's supplementary allowance under section 4(1) of that Act;".

Given under the Official Seal of the National Insurance Joint Authority this 19th day of August 1966.

(L.S.) *D. J. Carter,*
Secretary.

Given under the Official Seal of the Ministry of Finance for Northern Ireland this 19th day of August 1966.

(L.S.) *R. R. Butler,*
Assistant Secretary.