1964. No. 38 **[C]**

NATIONAL INSURANCE (INDUSTRIAL INJURIES)

Widow's Benefit

REGULATIONS, DATED 11TH MARCH, 1964, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE UNDER THE NATIONAL INSURANCE (INDUSTRIAL INJURIES) ACTS (NORTHERN IRELAND) 1946 TO 1964.

The Ministry of Labour and National Insurance, in exercise of powers conferred by section 19(3)(*d*) of the National Insurance (Industrial Injuries) Act (Northern Ireland) 1946(**a**), and Schedule 3 paragraph 5(1) of the Family Allowances and National Insurance Act (Northern Ireland) 1964(**b**), and of all other powers enabling it in that behalf, hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the National Insurance (Industrial Injuries) (Widow's Benefit) Regulations (Northern Ireland) 1964, and shall come into operation on 11th March, 1964.

(2) In these regulations—

"the principal Act" means the National Insurance (Industrial Injuries) Act (Northern Ireland) 1946;

"the Act of 1964" means the Family Allowances and National Insurance Act (Northern Ireland) 1964.

Conditions relating to payment of additional benefit under awards made before the appointed date

2. Where an award of death benefit under the principal Act has been made before the date appointed for the payment of such benefit at a higher weekly rate by virtue of the Act of 1964, Schedule 3 paragraph 5(1) of that Act (effect of any such award) shall, if the period to which the award relates has not ended before that date, have effect subject to the following conditions:

(1) If the award has not been made in accordance with the provisions of sub-paragraph (2) of that paragraph (which sub-paragraph authorises the making of such an award providing for the payment of the benefit at the higher weekly rate as from that date) and a question arises as to—

(*a*) the weekly rate at which the benefit is payable by virtue of the Act of 1964, or

(*b*) whether the conditions for the receipt of the benefit at the higher weekly rate are satisfied,

the benefit shall be or continue to be payable at the weekly rate specified in the award until the said question shall have been determined in accordance with the provisions of the principal Act.

(2) Notwithstanding the provisions of regulation 18(**c**) of the National Insurance (Industrial Injuries) (Claims and Payments) Regulations (Northern Ireland) 1948 (extinguishment of right to sums payable by way of benefit), the

(**a**) 1946. c. 21. (**b**) 1964. c. 9 (N.I.).
(**c**) See Part I of Sch. B to S.R. & O. (N.I.) 1952, No. 118.