(*a*) at the foot of the first column—"Greece",

(*b*) at the foot of the second column—"29 May, 1961",

(*c*) at the foot of the third column—"1 June, 1961".

Given at Government House, Hillsborough, this twenty-seventh day of November, one thousand nine hundred and sixty-one.

Terence O'Neill
Brian Faulkner
Ivan Neill
Brian Maginess

EXPLANATORY NOTE

(*This note is not part of the Order, but is intended to indicate its general purport.*)

This Order amends the Fourth Schedule to the Family Allowances, National Insurance and Industrial Injuries (European Interim Agreement) Order (Northern Ireland), 1959, by adding the Government of Greece to the names of Governments ratifying or acceding to the European Interim Agreement on social security other than schemes for old age, invalidity and survivors, and a Protocol, dated the 11th December, 1953.

1961. No. 221 **[C]**

NATIONAL INSURANCE

Claims and Payments

REGULATIONS, DATED 27TH NOVEMBER, 1961, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE, IN CONJUNCTION WITH THE MINISTRY OF FINANCE, UNDER THE NATIONAL INSURANCE ACT (NORTHERN IRELAND), 1946.

The Ministry of Labour and National Insurance, 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 19(2)(*b*), 27, 43 and 50(2) of the National Insurance Act (Northern Ireland), 1946(**a**), and of all other powers enabling it in that behalf, hereby makes the following regulations:

PART I

GENERAL

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the National Insurance (Claims and Payments) Regulations (Northern Ireland), 1961, and shall come into operation on the 1st December, 1961.

(**a**) 1946. c. 23.

(2) In these regulations—

"the Act" means the National Insurance Act (Northern Ireland), 1946;

"the Industrial Injuries Act" means the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946(**a**);

"the Ministry" means the Ministry of Labour and National Insurance;

"benefit" means any benefit under the Act;

"the relevant person" means the person by whom the contribution conditions for death grant are to be satisfied;

"insurance card" means a card issued in accordance with the regulations for the time being in force under section 7 of the Act relating to the collection of contributions;

"the Commissioner" means the Commissioner or a deputy Commissioner or a tribunal presided over by the Commissioner or a deputy Commissioner(**b**);

"determining authority" means, as the case may require, an insurance officer, a local tribunal or the Commissioner appointed or constituted in accordance with the regulations for the time being in force under section 40 of the Act(**c**) relating to the determination of claims and questions;

"pension" means retirement pension, widow's benefit, child's special allowance or guardian's allowance, as the case may require;

"pensioner" means a person to whom any pension is payable;

"pension order" means an order for the payment of any pension;

"serial order" means one of a series of orders for the payment of a sum on account of benefit which is or has been contained in a book of such orders;

"draft" means a payable order or any other instrument whatsoever (except a serial order) for the payment of a sum on account of benefit;

"paying office" means such place as the Ministry may designate for the payment of pensions;

"appropriate paying office" means such paying office as the Ministry, after consultation with the pensioner, may from time to time determine;

"local office" includes any office or place appointed by the Ministry for the purpose of claiming unemployment benefit.

(3) For the purposes of the provisions of these regulations relating to the making of claims an increase of benefit in respect of a child or adult dependant shall be treated as a separate benefit.

(4) The provisions of Parts II and III shall have effect in relation to any particular benefit subject to any further provision affecting that benefit contained in the Second Schedule.

PART II

CLAIMS

Claims to be made to the Ministry in writing

2.—(1) Every claim for benefit shall be made in writing to the Ministry on the form approved by the Ministry for the purpose of the benefit for which

(**a**) 1946. c. 21. (**b**) S.R. & O. (N.I.) 1961, No. 77.

(**c**) See s. 40(3)(*c*), National Insurance Act (Northern Ireland), 1946, as amended by s. 6(1), National Insurance Act (Northern Ireland), 1960.

the claim is made, or in such other manner, being in writing, as the Ministry may accept as sufficient in the circumstances of any particular case or class of cases.

(2) Subject to any directions given by the Ministry in any particular case or class of cases, all claims for unemployment benefit shall be made at a local office.

Supply of claim forms

3. Forms of claim shall be supplied without charge by the Ministry or by such persons as the Ministry may, in the case of any particular benefit, appoint or authorise for that purpose.

Claims not on appropriate forms

4. Where a claim for benefit has been made on an approved form other than the form appropriate to the benefit claimed, the Ministry may treat the claim as if it had been made on the appropriate form:

Provided that the Ministry may in any such case require the claimant to complete the appropriate form.

Information to be given when making a claim for benefit

5.—(1) Every person who makes a claim for benefit shall furnish such certificates, documents, information and evidence for the purpose of determining the claim as may be required by the Ministry and, if reasonably so required, shall for that purpose attend at such office or place as the Ministry may direct.

(2) Subject to any directions given by the Ministry in any particular case or class of cases, every person who makes a claim for unemployment benefit shall lodge his insurance card at the local office at which his claim is made:

Provided that where in any particular case the determining authority is satisfied that the claimant is unable or has omitted for good cause to lodge his insurance card it may, if it thinks fit, dispense with the lodging of the insurance card under this regulation.

(3) Every person who makes a claim for widowed mother's allowance, child's special allowance, or guardian's allowance or for an increase of benefit in respect of a child shall, in particular, furnish such certificate relating to the birth of the child and such other information to show that the child is or may be treated as included in that person's family, as the Ministry may require.

(4) Every person who makes a claim for an increase of benefit in respect of an adult dependant shall, in particular, furnish, if required, the following information concerning such dependant:

(*a*) his identity, date of birth, usual place of residence, occupation and relationship to the claimant;

(*b*) his position in regard to benefit under the Act and under the Industrial Injuries Act, available sources of income and the amounts contributed by any person towards his maintenance; and

(*c*) in the case of an increase in respect of a wife or a husband, a certificate of the marriage;

together with a declaration signed by the dependant confirming the information given.

(5) Every person who makes a claim for a death grant shall, in particular, furnish the following information:

(*a*) if required by the Ministry, a death certificate relating to the deceased; and, where the claim is in respect of the death of a child, such certificate relating to the birth of the child, and such other information, as the Ministry may reasonably require, in support of any contention that immediately before the death of the child or relevant person, as the case may be, the child was a child of the family of the relevant person;

(*b*) if required by the Ministry, the estimate or account of the undertaker.

Amendment of claim forms

6.—(1) If, owing to the absence of due signature or of due certification, a claim is defective at the date of its receipt by the Ministry, the Ministry may, in its discretion, refer the claim to the claimant, and if the form is returned duly signed and certified within one month from the date on which it is so referred, the Ministry may treat the claim as if it had been duly made in the first instance.

(2) Any person who has made a claim for a pension in accordance with the provisions of these regulations may amend his claim, at any time before a decision has been given thereon, by notice in writing delivered or sent to the Ministry, and any claim so amended may be treated as if it had been made as so amended in the first instance.

Interchange with claims for other benefits under the Act

7.—(1) Where it appears that a person who has made a claim for a benefit specified in the first column of Part I of the First Schedule may be entitled to the benefit specified opposite thereto in the second column of that Part, any such claim may be treated as a claim in the alternative for that other benefit.

(2) Where it appears that a person who has made a claim for benefit is not entitled thereto, but that some other person may be entitled to an increase of benefit in respect of that person, the claim may be treated as if it were a claim by such other person for an increase of benefit in respect of the claimant.

(3) Where it appears that a person who has made a claim for an increase of benefit in respect of a child or adult dependant is not entitled thereto but that some other person may be entitled to an increase of benefit in respect of that child or adult dependant, the claim may be treated as if it were a claim by that other person for such increase.

(4) Where it appears that a person who has made a claim for guardian's allowance in respect of any child is not entitled thereto, but that the claimant, or the wife or husband of the claimant, may be entitled to an increase of benefit for that child the claim may be treated as if it were a claim by the claimant or the wife or husband of the claimant for an increase of benefit for that child.

Interchange with claims for benefit under the Industrial Injuries Act

8.—(1) Where it appears that a person who has made a claim for—

(*a*) a benefit under the Industrial Injuries Act specified in the first column of Part II of the First Schedule may be entitled to the benefit under the Act specified opposite thereto in the second column of that Part; or

(*b*) a benefit under the Act specified in the said second column may be entitled to the benefit under the Industrial Injuries Act specified opposite thereto in the said first column;

any such claim may be treated as a claim in the alternative for that other benefit.

(2) A claim for unemployment benefit may be treated as a claim in the alternative for industrial injury benefit or unemployability supplement under the Industrial Injuries Act.

PART III

PAYMENTS

Time and manner of payment of unemployment, sickness, maternity benefits and death grant

9. Subject to the provisions of these regulations, unemployment benefit, sickness benefit, maternity benefit and death grant shall be paid in accordance with an award thereof, as soon as is reasonably practicable after such an award has been made by the determining authority, in the following manner:

(*a*) in the case of unemployment benefit, at weekly intervals, in cash at the local office at which the claim is made, or by such other means as may appear to the Ministry to be appropriate in the circumstances of any particular case;

(*b*) in the case of sickness benefit, maternity benefit and death grant, by means of payable orders, or by such other means as may appear to the Ministry to be appropriate in the circumstances of any particular case.

Time and manner of payment of retirement pension, widow's benefit, child's special allowance and guardian's allowance

10.—(1) Subject to the provisions of these regulations, pensions shall be paid weekly in advance at the appropriate paying office by means of pension orders payable in each case to the pensioner.

(2) In every case in which there is an award by the determining authority under which a pension is payable the Ministry shall cause arrangements to be made whereby, on furnishing such evidence as to identity and such other particulars as may be required, the pensioner may obtain, either through the appropriate paying office or otherwise, a book of pension orders, and the Ministry shall notify the pensioner of the appropriate paying office and of the arrangements so far as they affect him.

(3) The Ministry shall arrange for the issue to every pensioner, either through the appropriate paying office or otherwise, of a fresh book of pension orders on the expiration of the previous book.

(4) Weekly sums on account of pensions shall be payable on different days of the week as follows:

(*a*) in the case of widow's benefit, child's special allowance and guardian's allowance—on Tuesdays; and

(*b*) in the case of retirement pension—on Mondays:

Provided that—

(i) in the case of a woman who, immediately before becoming entitled to