EXPLANATORY NOTE

(This note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations amend the National Insurance (Mariners) Regulations (Northern Ireland), 1948, by making provisions relating to any period of leave on pay at the end of a mariner's voyage. The mariner and his employer are to pay contributions as if the mariner's employment had continued throughout any such period; and, if the mariner becomes employed again during the period, both he and his employer in the new employment are to have the right to pay contributions in respect of the new employment during the period of leave on pay, and any mariner's contributions so paid may be re-allocated or repaid. These provisions do not apply where the voyage is in a ship or vessel used wholly or mainly for the disposal of sludge.

The Regulations also add provisions which modify and supplement, in regard to a seaman, provisions in sections 1 and 2 of the National Insurance Act (Northern Ireland), 1959, determining liability for graduated contributions. They prescribe the manner in which contributions payable are to be calculated and specify the payments which are not to be taken into account in deciding, for graduated contribution purposes, the amount of a seaman's remuneration.

1961. No. 77 **[C]**

FAMILY ALLOWANCES AND NATIONAL INSURANCE

Commissioner

REGULATIONS, DATED 27TH MARCH, 1961, MADE BY THE NATIONAL INSURANCE JOINT AUTHORITY AND THE MINISTRY OF LABOUR AND NATIONAL INSURANCE IN CONJUNCTION WITH THE MINISTRY OF FINANCE, UNDER THE NATIONAL INSURANCE ACTS (NORTHERN IRELAND), 1946 TO 1960.

The National Insurance Joint Authority and the Ministry of Labour and National Insurance, in exercise of powers conferred by the National Insurance Act (Northern Ireland), 1946(**a**), and the Fifth Schedule to the National Insurance Act (Northern Ireland), 1960(**b**), in conjunction with the Ministry of Finance in relation to matters with regard to which the Ministry of Finance has so directed, and of all other powers enabling them in that behalf, hereby make the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Family Allowances and National Insurance (Commissioner—Transitional and Consequential Provisions) Regulations (Northern Ireland), 1961, and shall come into operation on the 3rd April, 1961.

(2) In these regulations—

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

(**a**) 1946. c. 23. (**b**) 1960. c. 24.

"the Commissioner" means the Commissioner or a deputy Commissioner or a tribunal presided over by the Commissioner or a deputy Commissioner;

"the Determination of Claims and Questions Regulations" means the National Insurance (Determination of Claims and Questions) Regulations (Northern Ireland), 1948(**a**);

"the Family Allowances Act" means the Family Allowances Act (Northern Ireland), 1945(**b**);

"the Family Allowances Regulations" means the Family Allowances (Determination of Claims and Questions) Regulations (Northern Ireland), 1959(**c**);

"local tribunal" means a local tribunal constituted in accordance with the Determination of Claims and Questions Regulations;

"the Umpire" means the Umpire or a deputy Umpire appointed for the purposes of the Act.

Effect of decisions of the Umpire and review of such decisions

2. A decision of the Umpire—

(*a*) shall have effect for the purposes of the Act and of the Family Allowances Act; and

(*b*) shall be subject to review in accordance with the provisions of regulation 18 of the Determination of Claims and Questions Regulations or, as the case may be, regulation 3 of the Family Allowances Regulations;

as if it were a decision of the Commissioner.

Appeals from decisions of local tribunals

3.—(1) Those provisions of the Determination of Claims and Questions Regulations or, as the case may be, the Family Allowances Regulations which, as applied in accordance with regulation 4, relate to appeals from a local tribunal to the Commissioner shall apply to any appeal brought on or after the date of the coming into operation of these regulations from a decision of a local tribunal given before that date; and references to the Umpire in any notice, form or other document relating to any such appeal shall be construed as references to the Commissioner.

(2) Where an appeal to the Umpire has not been determined before the date of the coming into operation of these regulations that appeal shall be determined by the Commissioner and the provisions of regulation 16 of the Determination of Claims and Questions Regulations or, as the case may be, of that regulation as applied by regulation 2 of the Family Allowances Regulations in relation to the determination of any question as to the right to an allowance under the Family Allowances Act shall apply accordingly.

Consequential amendments

4. Notwithstanding any definition contained in any of the regulations specified in the Schedule, the provisions of those regulations shall have effect

(**a**) S.R. & O. (N.I.) 1948, No. 185 as amended by reg. 13 of, and Third Schedule to, National Insurance (Death Grant) Regulations (Northern Ireland), 1949 (S.R. & O. (N.I.) 1949, No. 142); S.R. & O. (N.I.) 1951, No. 157; reg. 21 of, and Second Schedule to, National Insurance (Maternity Benefit and Miscellaneous Provisions) Regulations (Northern Ireland), 1953 (S.R. & O. (N.I.) 1953, No. 123); S.R. & O. (N.I.) 1956, No. 8; 1957, No. 169; 1957, No. 225; 1958, No. 159; 1959, No. 108 and 1959, No. 138.

(**b**) 1945. c. 19.

(**c**) S.R. & O. (N.I.) 1959, No. 139.