1961. No. 57 **[C]**

NATIONAL INSURANCE

Non-participation—Continuity of Employment

REGULATIONS, DATED 16TH MARCH, 1961, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE UNDER THE NATIONAL INSURANCE ACTS (NORTHERN IRELAND), 1946 TO 1960.

The Ministry of Labour and National Insurance, in exercise of powers conferred by section 50 of the National Insurance Act (Northern Ireland), 1946(**a**), and sections 6 and 12 of the National Insurance Act (Northern Ireland), 1959(**b**), and of all other powers enabling it in that behalf, hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations, which may be cited as the National Insurance (Non-participation—Continuity of Employment) Regulations (Northern Ireland), 1961, shall come into operation on the 3rd April, 1961.

(2) In these regulations—

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

"the Act of 1959" means the National Insurance Act (Northern Ireland) 1959;

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

"the registrar" means an officer appointed by the Ministry for the purposes of Part II of the Act of 1959, and includes a deputy registrar so appointed;

"certificate" means a certificate issued in accordance with the provisions of the National Insurance (Non-participation—Certificates) Regulations (Northern Ireland), 1960(**c**), that any employment is to be treated for the purposes of the Act of 1959, either generally or in relation to any description of persons specified in the certificate, as a non-participating employment;

"election" means an election made by an employer with a view to the issue or variation of a certificate;

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

Conditions for disregard of change in employment

2.—(1) Where on the transfer of the whole or part of any business from one employer to another (which whole or part so transferred is hereafter in this regulation called "the transferred business") a person, who immediately before the transfer is in any employment in the transferred business which is a non-participating employment, continues to be employed in the transferred business after the transfer in such circumstances that—

(*a*) were the certificate issued to and election made by the former employer relating to the person's employment treated respectively as issued to and made by the new employer, his employment would continue to be a non-participating employment; and

(*b*) the person's service with the new employer continues to be service qualifying him for retirement benefits under the recognised super-

(**a**) 1946, c. 23. (**b**) 1959, c. 21. (**c**) S.R. & O. (N.I.) 1960, No. 22.