1961. No. 3 **[C]**

NATIONAL INSURANCE

Increase of Benefit and Miscellaneous Provisions

REGULATIONS, DATED 9TH JANUARY, 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, in exercise of powers conferred by sections 22, 24 and 29 of the National Insurance Act (Northern Ireland), 1946(**a**), and the Ministry of Labour and National Insurance, in exercise of powers conferred by sections 28, 33, 62 and 68 of that Act, section 6(3) of the National Insurance Act (Northern Ireland), 1957(**b**), and the Fifth Schedule to, the National Insurance Act (Northern Ireland), 1960(**c**), in each case in conjunction with the Ministry of Finance so far as relates to matters with regard to which the Ministry of Finance has so directed, and in exercise of all other powers enabling them in that behalf, hereby make the following regulations:

PART I

GENERAL

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the National Insurance (Increase of Benefit and Miscellaneous Provisions) Regulations (Northern Ireland), 1961, and shall come into operation on the 16th January, 1961.

(2) In these regulations, unless the context otherwise requires—

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

"the Act of 1960" means the National Insurance Act (Northern Ireland), 1960;

"the Contributory Pensions Acts" means the Widows', Orphans' and Old Age Contributory Pensions Acts (Northern Ireland), 1936 to 1946;

"the Existing Beneficiaries Regulations" means the National Insurance (Pensions, Existing Beneficiaries and Other Persons) (Transitional) Regulations (Northern Ireland), 1948(**d**);

"the Existing Contributors Regulations" means the National Insurance (Pensions, Existing Contributors) (Transitional) Regulations (Northern Ireland), 1948(**e**);

"the Hospital In-Patients Regulations" means the National Insurance (Hospital In-Patients) Regulations (Northern Ireland), 1949(**f**);

(**a**) 1946. c. 23. (**b**) 1957. c. 7. (**c**) 1960. c. 24.

(**d**) S.R. & O. (N.I.) 1948, No. 39 as amended by S.R. & O. (N.I.) 1949, No. 124; 1951, No. 154; 1952, No. 133; 1953, No. 108; 1955, No. 8; 1956, No. 138; 1957, No. 180; 1957, No. 236 and 1957, No. 269.

(**e**) S.R. & O. (N.I.) 1948, No. 129 as amended by S.R. & O. (N.I.) 1949, No. 130; 1949, No. 159; 1951, No. 110; 1951, No. 154; 1952, No. 133; 1952, No. 137; 1953, No. 108; 1955, No. 8; 1956, No. 138; 1957, No. 181; 1957, No. 235; 1957, No. 269 and 1960, No. 123.

(**f**) S.R. & O. (N.I.) 1949, No. 161 as amended by S.R. & O. (N.I.) 1949, No. 162; 1951, No. 154; 1952, No. 137; 1952, No. 147; 1953, No. 22; 1955, No. 7; 1956, No. 138; 1957, No. 225; 1957, No. 254; 1957, No. 269 and 1960, No. 142.

"the Maternity Benefit Regulations" means the National Insurance (Maternity Benefit and Miscellaneous Provisions) Regulations (Northern Ireland), 1953(**a**);

"the New Entrants Regulations" means the National Insurance (New Entrants Transitional) Regulations (Northern Ireland), 1948(**b**);

"the Overlapping Benefits Regulations" means the National Insurance (Overlapping Benefits) Regulations (Northern Ireland), 1949(**c**);

"the Widow's Benefit and Retirement Pensions Regulations" means the National Insurance (Widow's Benefit and Retirement Pensions) Regulations (Northern Ireland), 1948(**d**);

"personal benefit" means benefit payable to a person otherwise than in respect of another person who is a child or an adult dependant;

"dependency benefit" means benefit payable to a person in respect of another person who is a child or an adult dependant.

PART II

HIGHER RATES AND AMOUNT OF BENEFIT PAYABLE UNDER REGULATIONS

2. The following provisions of this Part shall have effect subject to the provisions of regulation 25 and paragraphs (1) and (2) of regulation 27 of these regulations.

Higher rates of unemployment and sickness benefit payable at reduced rates owing to partial satisfaction of contribution conditions

3. As from the 6th April, 1961, for the Second Schedule to the National Insurance (Unemployment and Sickness Benefit) Regulations (Northern Ireland), 1948(**e**) (which shows the reduced weekly rates of unemployment benefit and sickness benefit and of an increase of any such benefit in respect of an adult dependant payable where the relevant contribution conditions are partially satisfied), there shall be substituted the Schedule set out in Schedule B.

Higher amount of maternity grant

4.—(1) In any case where—

(*a*) a woman has become entitled before the 3rd April, 1961, (hereafter in this regulation called "the appropriate date") to a maternity grant by virtue of the provisions of regulation 3 of the Maternity Benefit Regulations (which confer title to a maternity grant in respect of expectation of confinement) whether or not payment thereof shall then have been made;

(*b*) the confinement in expectation of which she has become so entitled has not occurred before the appropriate date; and

---

(a) S.R. & O. (N.I.) 1953, No. 123 as amended by S.R. & O. (N.I.) 1954, No. 35; 1955, No. 7; 1955, No. 72 and 1957, No. 269.

(b) S.R. & O. (N.I.) 1948, No. 221 as amended by S.R. & O. (N.I.) 1951, No. 154; 1952, No. 137; 1955, No. 7; 1957, No. 44; 1957, No. 182; 1957, No. 269; 1958, No. 108; 1958, No. 133 and 1958, No. 206.

(c) S.R. & O. (N.I.) 1949, No. 154 as amended by S.R. & O. (N.I.) 1951, No. 154; 1951, No. 181; 1952, No. 65; 1952, No. 137; 1953, No. 80; 1953, No. 123; 1955, No. 7; 1956, No. 138; 1957, No. 225; 1957, No. 240; 1957, No. 269 and 1959, No. 94.

(d) S.R. & O. (N.I.) 1948, No. 246 as amended by S.R. & O. (N.I.) 1951, No. 154; 1952, No. 137; 1953, No. 108; 1955, No. 7; 1956, No. 138; 1957, No. 160; 1957, No. 241 and 1957, No. 269.

(e) See Sch. B to S.R. & O. (N.I.) 1957, No. 269.

(*c*) her pregnancy has not otherwise been terminated before the appropriate date;

the amount of the grant shall be increased to fourteen pounds if, but only if, before the expiration of three months (or such longer period, not exceeding six months, as the determining authority may for good cause allow) beginning with the appropriate date or the date of the confinement (whichever is the later), the beneficiary furnishes, by such means as the determining authority shall accept as sufficient, evidence either that she has been confined or that she is pregnant and that it is to be expected that she will be confined.

(2) In this regulation, the expression "the determining authority" means, as the case may require, an insurance officer, a local tribunal appointed or constituted in accordance with the National Insurance (Determination of Claims and Questions) Regulations (Northern Ireland), 1948(**a**), or an umpire or deputy umpire appointed by the Governor of Northern Ireland for the purposes of the principal Act(**b**).

Higher rate of a maternity allowance payable at a reduced rate owing to partial satisfaction of contribution conditions

5. As from the 3rd April, 1961, for the table contained in regulation 13 of the Maternity Benefit Regulations(**c**) (which table shows the reduced weekly rates of a maternity allowance and of an increase of such an allowance in respect of an adult dependant payable where the relevant contribution conditions are partially satisfied), there shall be substituted the table set out in Schedule C.

Higher rates of widow's benefit and retirement pensions payable at reduced rates owing to partial satisfaction of contribution conditions

6. As from the 3rd April, 1961, for the Schedule to the Widow's Benefit and Retirement Pensions Regulations(**d**) (which shows the reduced weekly rates of widow's benefit, of a retirement pension and of an increase of a retirement pension in respect of an adult dependant, payable where the relevant contribution conditions are partially satisfied), there shall be substituted the Schedule set out in Schedule D.

Higher rates of retirement pensions for existing beneficiaries

7.—(1) As from the 3rd April, 1961, paragraph (3) of regulation 9(**e**) of the Existing Beneficiaries Regulations (which relates to rates of converted pensions for existing beneficiaries)(**f**) shall be amended in accordance with the provisions of paragraph (2) and shall accordingly have effect as set out in Part I of Schedule A.

(2) In the proviso to the said paragraph (3)—

(*a*) for the words "27th January, 1958", there shall be substituted the words "3rd April, 1961";

(*b*) in paragraph (*a*) of the said proviso, for the words "fifty shillings" and "thirty shillings", there shall be substituted the words "fifty-seven shillings and sixpence" and "thirty-five shillings" respectively.

(**a**) See regs. 8 and 9 of S.R. & O. (N.I.) 1948, No. 185.
(**b**) See National Insurance Act (Northern Ireland), 1946, s. 40(3)(*c*).
(**c**) See Sch. C to S.R. & O. (N.I.) 1957, No. 269.
(**d**) See Sch. D to S.R. & O. (N.I.) 1957, No. 269.
(**e**) See Part I of Sch. A to S.R. & O. (N.I.) 1957, No. 269.
(**f**) See National Insurance Act (Northern Ireland), 1946, s. 62(2)(*b*).

(3) As from the 3rd April, 1961, for the Third Schedule to the Existing Beneficiaries Regulations(**a**) (which shows the weekly rates of retirement pensions payable under paragraph (*b*) of the said proviso), there shall be substituted the Schedule set out in Schedule E.

Higher rates of increases of retirement pensions in respect of adult dependants, and of retirement pensions for wives, of certain existing beneficiaries

8.—(1) As from the 3rd April, 1961, regulation 10(**b**) of the Existing Beneficiaries Regulations (which relates to rates of increases of retirement pensions in respect of adult dependants, and of retirement pensions for wives, of certain existing beneficiaries) shall be amended in accordance with the provisions of paragraph (2) and shall accordingly have effect as set out in Part II of Schedule A.

(2) In the said regulation 10—

(*a*) in paragraph (1), for the words "fifty shillings", there shall be substituted the words "fifty-seven shillings and sixpence";

(*b*) in paragraph (*a*) of the proviso to paragraph (2), for the words "27th January, 1958", there shall be substituted the words "3rd April, 1961"

(3) As from the 3rd April, 1961, for the Second Schedule to the Existing Beneficiaries Regulations(**c**) (which shows the rates of benefit payable under paragraph (1) of the said regulation 10), there shall be substituted the Schedule set out in Schedule F.

Higher rates of benefit for existing beneficiaries who are widows

9. As from the 3rd April, 1961, for the First Schedule to the Existing Beneficiaries Regulations(**d**) (which shows reduced rates of certain descriptions of widow's benefit and retirement pensions payable to existing beneficiaries who are widows and the rates below which any such benefit is not to be reduced on account of the beneficiary's earnings), there shall be substituted the Schedule set out in Schedule G.

Higher rates of benefit for certain existing contributors

10. As from the 3rd April, 1961, for the provisions of Part III of the Fifth Schedule to the Existing Contributors Regulations(**e**) (which relates to the reduced rates of retirement pensions for certain existing contributors who attained pensionable age during the five years next following the appointed day and their wives and of increases of such retirement pensions in respect of adult dependants), there shall be substituted the provisions set out in Schedule H.

Higher rates of benefit for certain widows who are existing contributors

11.—(1) As from the 3rd April, 1961, paragraph (4) of regulation 11(**f**) of the Existing Contributors Regulations (which paragraph relates to certain widows over the age of fifty on the appointed day) shall be amended in accordance with the provisions of paragraph (2), and shall accordingly have effect as set out in Part III of Schedule A.

(**a**) See Sch. E to S.R. & O. (N.I.) 1957, No. 269.
(**b**) See Part II of Sch. A to S.R. & O. (N.I.) 1957, No. 269.
(**c**) See Sch. F to S.R. & O. (N.I.) 1957, No. 269.
(**d**) See Sch. G to S.R. & O. (N.I.) 1957, No. 269.
(**e**) See Sch. H to S.R. & O. (N.I.) 1957, No. 269.
(**f**) See Part III of Sch. A to S.R. & O. (N.I.) 1957, No. 269.

(2) In sub-paragraph (*a*) of the said paragraph (4), for the words "fifty shillings" (wherever they occur), there shall be substituted the words "fifty-seven shillings and sixpence".

Higher rates of personal benefit payable at reduced rates to certain hospital in-patients

12.—(1) As from the appropriate date, regulations 3, 4 and 5(**a**) of the Hospital In-Patients Regulations (which regulations relate to reduction, in certain circumstances, of the weekly rates of certain descriptions of personal benefit) shall be amended in accordance with the provisions of paragraphs (2) to (8) and shall accordingly have effect as set out in Part IV of Schedule A.

(2) In paragraph (4) of the said regulation 3 and in paragraph (1) of the said regulation 5, for the words "fifteen shillings" and "ten shillings" (wherever they occur), there shall be substituted the words "sixteen shillings and sixpence" and "eleven shillings and sixpence" respectively.

(3) In the said regulation 4, for the words "ten shillings" and "twenty shillings", there shall be substituted the words "eleven shillings and sixpence" and "twenty-three shillings" respectively.

(4) In paragraph (2) of the said regulation 5, for the words "twenty-five shillings", "twenty shillings" and "ten shillings", there shall be substituted the words "twenty-eight shillings", "twenty-three shillings" and "eleven shillings and sixpence" respectively.

(5) In sub-paragraph (*a*) of paragraph (3) of the said regulation 5, for the words "twenty shillings", there shall be substituted the words "twenty-three shillings".

(6) In sub-paragraph (*b*) of paragraph (3) of the said regulation 5, for the words "thirty-five shillings" and "thirty shillings", there shall be substituted the words "thirty-nine shillings and sixpence" and "thirty-four shillings and sixpence" respectively.

(7) In sub-paragraph (*c*) of paragraph (4) of the said regulation 5, for the words "fifteen shillings" and "ten shillings", there shall be substituted the words "sixteen shillings and sixpence" and "eleven shillings and sixpence" respectively.

(8) In sub-paragraph (*d*) of paragraph (4) of the said regulation 5, for the words "thirty shillings", there shall be substituted the words "thirty-four shillings".

(9) In this regulation, the expression "the appropriate date" means, in relation to any personal benefit under the principal Act, the date as from which the weekly rate of that benefit is increased by virtue of the Act of 1960 or of these regulations.

Higher rates of dependency benefit payable at reduced rates in respect of certain hospital in-patients

13.—(1) As from the appropriate date, regulation 6(**b**) of the Hospital In-Patients Regulations (which relates to reduction, in certain circumstances, of the weekly rate of dependency benefit) shall be amended in accordance with the provisions of paragraph (2) and shall accordingly have effect as set out in Part V of Schedule A.

(**a**) See Part IV of Sch. A to S.R. & O. (N.I.) 1957, No. 269.
(**b**) See Part V of Sch. A to S.R. & O. (N.I.) 1957, No. 269.