1960. No. 144 **[C]**

NATIONAL INSURANCE

Contributions

REGULATIONS, DATED 15TH SEPTEMBER, 1960, 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 sub-section (5) of section 2 and sub-section (1) of section 5 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, interpretation and commencement

1. These regulations, which may be cited as the National Insurance (Contributions) Amendment (No. 2) Regulations (Northern Ireland), 1960, shall be read as one with the National Insurance (Contributions) Regulations (Northern Ireland), 1948(**b**) (hereinafter referred to as "the principal regulations"), and shall come into operation on the 19th September, 1960.

PART II

AMENDMENT OF THE PRINCIPAL REGULATIONS

Amendment of regulation 5 of the principal regulations

2. For paragraph (1) of regulation 5 of the principal regulations there shall be substituted the following paragraph:

"*Imprisonment or detention in legal custody*

5.—(1) (*a*) For any week during the whole of which he is undergoing imprisonment or detention in legal custody an insured person—

(i) shall be excepted from liability to pay a contribution as a self-employed or non-employed person, if by reason of his imprisonment or detention he is, or if he had otherwise had a right thereto would have been, disqualified(**c**) for receiving sickness benefit for that week, or if he would for the said reason have been so disqualified but for the provisions of paragraph (3) of regulation 6 of the National Insurance (General Benefit) Regulations (Northern Ireland), 1948(**d**); but

(ii) shall not, save as provided in sub-paragraph (*c*), have any contribution credited to him under these regulations, if by reason

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

(**b**) S.R. & O. (N.I.) 1948, No. 217 as amended by S.R. & O. (N.I.) 1949, No. 149; 1950, No. 67; 1951, No. 38; 1952, No. 139; 1953, No. 69; 1953, No. 123; 1953, No. 157; 1954, No. 35; 1955, No. 101; 1956, No. 212; 1957, No. 173; 1957, No. 225; 1957, No. 268; 1959, No. 43; 1959, No. 109; 1959, No. 173 and 1960, No. 76.

(**c**) See National Insurance Act (Northern Ireland), 1946, s. 28(1); S.R. & O. (N.I.) 1960, No. 143, reg. 2.

(**d**) See S.R. & O. (N.I.) 1960, No. 143, reg. 2.

of his imprisonment or detention he is, or if he had otherwise had a right to sickness benefit would have been, so disqualified.

(*b*) A person who under the provisions of the last foregoing sub-paragraph is excepted from liability to pay a contribution as a self-employed or non-employed person for any week of imprisonment or detention in legal custody, may if he so desires pay therefor, at any time before the end of the sixth contribution year following the contribution year in which the period of imprisonment or detention in legal custody terminated, a contribution as a non-employed person or alternatively, if immediately before the commencement of that period he was a self-employed person, a contribution as a self-employed person.

(*c*) Notwithstanding that a person is undergoing imprisonment or detention in legal custody and by reason thereof is, or if he had otherwise had a right thereto would have been, disqualified for receiving sickness benefit for any week—

(i) the provisions of regulation 7, if he is detained in a remand home or a training school or if he is liable to be detained in a hospital or similar institution to which he has been transferred from a remand home or from a training school; and

(ii) the provisions of regulation 12;

shall have effect in all respects as if sub-paragraph (*a*) did not apply to him."

PART III

TRANSITIONAL PROVISIONS

Interpretation and application of this Part

3.—(1) In this Part—

"the current Contributions Regulations" means the provisions of the principal regulations in force on the operative day;

"the former Contributions Regulations" means, in relation to any week before the operative day, the provisions of the principal regulations in force in that week;

"the current disqualification provisions" means the provisions as to disqualification for benefit, contained in section 28 of the Act and in regulation 6(**a**) of the National Insurance (General Benefit) Regulations (Northern Ireland), 1948, in force on the operative day;

"the operative day" means the day on which these regulations come into operation;

"hospital or similar institution" means any place in Northern Ireland (not being a prison, Borstal institution, a remand home, or a training school and not being at or in any such place) in which persons suffering from mental disorder are or may be received for care or treatment; and

"detention" means penal servitude, imprisonment or detention in legal custody.

(2) References to a person suffering from mental disorder shall be construed as references to a person who is receiving care or treatment under the provisions of the Lunacy and Mental Health Acts (Northern Ireland), 1821 to 1953(**b**).

(**a**) See S.R. & O. (N.I.) 1960, No. 143, reg. 2.
(**b**) 1948. c. 17 (Reprint to 1953).