in Northern Ireland, he may, if he thinks fit, and subject to such conditions, if any, as he thinks proper, waive the requirements contained in sub-paragraphs (*a*) and (*b*) of the foregoing paragraph.

Sealed with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this 23rd day of February, nineteen hundred and sixty.

(L.S.) *H. A. Lowry,*
Assistant Secretary.

EXPLANATORY NOTE

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

These Regulations prescribe the causes for which an occupational pension benefit may be terminated or suspended without forfeiting recognition as equivalent to graduated benefit under the National Insurance Act (Northern Ireland), 1959. They contain also the conditions subject to which an occupational pension scheme or arrangement established otherwise than by Act of Parliament or other instrument having the force of law may be a recognised superannuation scheme for the purposes of that Act.

1960. No. 22 **[C]**

NATIONAL INSURANCE

Non-participation—Certificates

REGULATIONS, DATED 23RD FEBRUARY, 1960, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE UNDER THE NATIONAL INSURANCE ACTS (NORTHERN IRELAND), 1946 TO 1959.

The Ministry of Labour and National Insurance, in exercise of powers conferred by sections 40 and 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:

PART I

GENERAL

Citation, commencement and interpretation

1.—(1) These regulations, which may be cited as the National Insurance (Non-participation—Certificates) Regulations (Northern Ireland), 1960, shall come into operation on the 29th February, 1960.

(2) In these regulations—

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

(**a**) 1946. c. 23. (**b**) 1959. c. 21.

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

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

"the adjudicator" means the adjudicator appointed in accordance with sub-section (3) of section 12 of the Act of 1959 for the purposes of Part II thereof;

"certificate" means a certificate 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.

Appointment of the registrar

2.—(1) The Ministry shall appoint an officer for the purposes of Part II of the Act of 1959 (therein and in these regulations referred to as "the registrar") and such other officers as may be necessary to act as deputy registrars; and any reference to the registrar in these regulations shall include reference to a deputy registrar.

(2) It is hereby declared that sub-section (2) of section 18 of the Interpretation Act (Northern Ireland), 1954(a), shall apply to any appointment made in pursuance of this regulation.

PART II

NOTICES AND ELECTIONS

Notices by employers of election or revocation of election

3.—(1) For the purpose of informing persons employed by him who are included in any superannuation scheme affected thereby, of his intention to make or revoke an election, an employer shall at least one month before such election is made or revoked take such steps as are reasonable, by—

(*a*) notifying them individually in writing; or

(*b*) posting up written notice in some conspicuous place or places at their place of work or employment so that it may be conveniently read by them; or

(*c*) making such other provision for giving notice to them as may be appropriate in the circumstances of the case.

(2) An employer shall give at least one month's notice in writing of his intention to make or revoke an election, delivered or sent by registered post to the trustees of any trust and to any persons with whom there is any contract of assurance or annuity contract under which benefits are liable to be paid in connection with any superannuation scheme or schemes relating to the employment in respect of which the election is to be made or revoked, and to the committee of management (if any) of any such scheme.

(a) 1954. c. 33.

(3) Any notice given under this regulation shall—

(*a*) specify the superannuation scheme or schemes concerned and the employments and, if the election or revocation is not intended to be general in relation to any employment, the description of persons to be affected by the issue, variation, cancellation or surrender of any certificate; and

(*b*) contain the date of expiry of the notice and particulars of the registrar's power to defer the issue or variation of a certificate under paragraph (5) of regulation 14.

Form of election and revocation of election and particulars to be given to the registrar

4.—(1) Every election made by an employer with a view to the issue of a certificate shall be made in writing to the registrar and shall include the following particulars—

(*a*) the name and address of the employer;

(*b*) if different from the particulars supplied under sub-paragraph (*a*), the name under which and the address of the principal place at which any employment in respect of which the election is made, is carried on, unless dispensed with by the registrar;

(*c*) a description of the employments to which the certificate is intended to relate and, if the certificate is not to be general in relation to any employment, a description of the persons in that employment to be included in the certificate or excluded therefrom;

(*d*) if not already supplied, a copy of the rules of any superannuation scheme and a copy of any trust deed, contract of assurance or annuity contract securing the equivalent pension benefits for which persons in the employments in respect of which the election is made, qualify;

(*e*) the names and addresses of trustees of any trust under which such benefits are liable to be paid.

(2) Every election made by an employer with a view to the variation of an existing certificate shall be made in writing to the registrar and shall include particulars of the certificate and the nature of the variation.

(3) Every revocation of an election made by an employer with a view to the cancellation or surrender of a certificate shall be made in writing to the registrar and shall include particulars of the certificate.

(4) Every employer making or revoking an election shall supply such further information, reports and accounts as to any superannuation scheme or other relevant matters as may reasonably be required by the registrar for the purpose of the issue, variation, cancellation or surrender of a certificate.

Amendment of election

5. An employer may amend his election at any time before the issue of a certificate:

Provided that the registrar may require the employer to give notice of the amendment in such manner and to such persons as the registrar may consider necessary in the circumstances of any particular case.

Questions to be determined by the registrar

6. The receipt of any election, revocation of an election or amended election made by an employer in accordance with the provisions of this Part shall be