Sealed with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this 25th day of June, nineteen hundred and fifty-nine.

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

SCHEDULE Regulation 2

Containing the Definition of "Claimant" in Regulation 1(2) of the Principal Regulations as amended*

"claimant" means, for the purposes of Part IV of these regulations, a person who has claimed benefit under the Act *or whose right to be excepted from liability to pay or to be credited with a contribution is in question;*

EXPLANATORY NOTE

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

These Regulations amend the National Insurance (Determination of Claims and Questions) Regulations (Northern Ireland), 1948, in order to give effect to Regulation 5(3) of the National Insurance (Contributions) Amendment Regulations (Northern Ireland), 1959, under which certain disqualifications applicable to claims to benefit are to apply also to the right to be excepted from liability to pay and to be credited with contributions because of unemployment or sickness.

Regulation 3 provides that questions whether a person would, if otherwise entitled thereto, have been disqualified for receiving unemployment or sickness benefit by virtue of sub-section (2) or (3) of section 12 of the National Insurance Act (Northern Ireland), 1946, or of regulations made thereunder, shall not be decided by the Ministry; instead they are to be decided by insurance officers, local tribunals or the Umpire in the same way as other questions as to the right to benefit. Regulation 2 makes a minor and consequential amendment.

1959. No. 109 **[C]**

NATIONAL INSURANCE

Contributions

REGULATIONS, DATED 25TH JUNE, 1959, 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

*The words added by these regulations are shown in italics.

Ministry of Finance has so directed, in exercise of powers conferred by sections 2(5), 5(1) and 7(1) of the National Insurance Act (Northern Ireland), 1946(a), and of all other powers enabling it in that behalf, hereby makes the following regulations:

Citation, interpretation and commencement

1. These regulations, which may be cited as the National Insurance (Contributions) Amendment (No. 2) Regulations (Northern Ireland), 1959, 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 6th July, 1959.

Amendment of regulation 1 of the principal regulations

2. In paragraph (2) of regulation 1 of the principal regulations (which makes provision for their interpretation), the following definition shall be inserted immediately after the definition of "week":

"'local office' includes any office or place appointed by the Ministry for the purpose of claiming unemployment benefit;"

Amendment of regulation 2 of the principal regulations

3. In regulation 2 of the principal regulations (which relates to exception and credits for weeks of unemployment), the following words shall be substituted for the words "Subject to the provisions of paragraphs (1), (3) and (4) of regulation 4":

"Subject to the provisions of paragraphs (1), (3), (3A), (4) and (5) of regulation 4 and paragraph (2) of regulation 11".

Amendment of regulation 3 of the principal regulations

4. In paragraph (1) of regulation 3 of the principal regulations (which relates to exception and credits for weeks of incapacity for work) immediately after the words "Subject to the provisions of paragraph (2) of this regulation", the following words shall be substituted for the words "and paragraphs (2), (3) and (4) of regulation 4":

"paragraphs (2), (3), (4) and (5) of regulation 4 and paragraph (1) of regulation 11".

Amendment of regulation 4 of the principal regulations

5.—(1) Regulation 4 of the principal regulations (which contains provisions determining days of unemployment or incapacity for work for the purposes of regulations 2 and 3 of those regulations) shall be amended in accordance with the following paragraphs of this regulation and shall accordingly have effect as set out in Part I of the Schedule.

(2) At the end of the proviso to sub-paragraph (*a*) of paragraph (3) of the said regulation 4, there shall be added the following head:

"(iii) any Sunday which is treated under any such regulations as not being a day of unemployment by reason only of the provisions of head (ii) of sub-paragraph (*e*) of paragraph (1) of regulation 6

(a) 1946, c. 23.
(b) S.R. & O. (N.I.) 1948, No. 217 as amended by S.R. & O. (N.I.) 1949, No. 149; S.R. & O. (N.I.) 1950, No. 67; S.R. & O. (N.I.) 1951, No. 38; S.R. & O. (N.I.) 1952, No. 139; S.R. & O. (N.I.) 1953, No. 69; S.R. & O. (N.I.) 1953, No. 123; S.R. & O. (N.I.) 1953, No. 157; S.R. & O. (N.I.) 1954, No. 35; S.R. & O. (N.I.) 1955, No. 101; S.R. & O. (N.I.) 1956, No. 212; S.R. & O. (N.I.) 1957, No. 173; S.R. & O. (N.I.) 1957, No. 268; S.R. & O. (N.I.) 1959, No. 43.

of the National Insurance (Unemployment and Sickness Benefit) Regulations (Northern Ireland), 1948(a) (which head relates to days on which a person is a person who has been employed to the full extent normal in his case) shall be a day of unemployment for the purposes of this regulation if any day in the week in which that Sunday occurs will thereby fall to be treated as a day of unemployment by virtue of head (i) of the proviso to paragraph (5)."

(3) For head (i) of sub-paragraph (*b*) of the said paragraph (3) the following words shall be substituted:

"(i) by reason of the provisions of sub-section (1) of section 12 of the Act is, or by reason of the provisions of sub-section (2) or sub-section (3) thereof or of any regulations(b) made thereunder is or would if he had otherwise had a right thereto have been, disqualified for receiving either unemployment benefit or sickness benefit; or".

(4) Immediately after paragraph (4) of the said regulation 4, the following paragraph shall be added:

"(5) For the purposes of regulation 2 and regulation 3 where under the foregoing provisions of this regulation any week would be a week of unemployment or a week of incapacity in respect of any person if the Sunday occurring in that week were a day of unemployment or a day of incapacity for work, as the case may be, that Sunday shall be treated as such a day unless on it that person does any work as an employed or self-employed person other than such work as is referred to in sub-paragraph (iii) of paragraph (*d*) of regulation 10 of the National Insurance (Unemployment and Sickness Benefit) Regulations (Northern Ireland), 1948(a) (which relates to work undertaken as part of a patient's treatment):

Provided that—

(i) in the case of any person who objects on religious grounds to working on a specific day in each week other than Sunday and does not so object to working on Sunday the said day shall be substituted for Sunday for the purposes of the foregoing provisions of this paragraph; and

(ii) no day in any week shall be treated by virtue of the provisions of this paragraph as a day of incapacity for work unless some other day in that week is or but for the provisions of paragraph (4) would be such a day."

Amendment of regulation 5 of the principal regulations

6. In sub-paragraph (*b*) of paragraph (2) of regulation 5(c) of the principal regulations (which defines "unemployability supplement" for the purposes of that regulation), the following words shall be substituted for the words "as defined in paragraph (2) of regulation 1 of the National Insurance (Overlapping Benefits) Regulations (Northern Ireland), 1949":

"Personal Injuries Scheme or 1914-1918 War Injuries Scheme".

Amendment of regulation 6 of the principal regulations

7. For sub-paragraph (*b*) of paragraph (1) of regulation 6 of the principal regulations the following sub-paragraph shall be substituted:

(a) S.R. & O. (N.I.) 1948, No. 248.
(b) See reg. 10 of S.R. & O. (N.I.) 1948, No. 248.
(c) See Sch. Pt. II to S.R. & O. (N.I.) 1957, No. 173.

"(*b*) whether or not any such certificate is in operation if she is a non-employed person she shall be excepted from liability but shall nevertheless be entitled to pay contributions as a non-employed person."

Amendment of regulation 6A *of the principal regulations*

8.—(1) Regulation 6A(**a**) of the principal regulations (which relates to exception and credits for certain widows) shall be amended in accordance with the following paragraph and shall accordingly have effect as set out in Part II of the Schedule.

(2) In paragraph (1) of the said regulation 6A, the following words shall be substituted for the words "personal benefit by way of a widow's pension under the Industrial Injuries Act or any Personal Injuries Scheme or any Service Pensions Instrument or any 1914-1918 War Injuries Scheme is payable to her":

"any of the specified benefits as defined in paragraph (4) of regulation 2(**b**) of the National Insurance (Overlapping Benefits) Regulations (Northern Ireland), 1949, is payable to her as a widow".

Amendment of regulation 8 *of the principal regulations*

9. In paragraph (1) of regulation 8(**c**) of the principal regulations (which relates to exception and credits for weeks of confinement and succeeding weeks) immediately after the words "three succeeding weeks, and", there shall be inserted the words "subject to the provisions of paragraph (1) of regulation 11".

Amendment of regulation 11 *of the principal regulations*

10. For regulation 11(**d**) of the principal regulations the following regulation shall be substituted:

"*Conditions for the crediting of contributions*

11.—(1) It shall be a condition of a person's right to be credited with a contribution for any week under the provisions of regulation 3 or regulation 8 that he shall furnish to the Ministry notice in writing of the grounds on which a contribution should be so credited before the end of the benefit year immediately following the contribution year in which the week in question falls, or within such longer period as the Ministry may in a particular case allow:

Provided that where in respect of any week a person has claimed sickness benefit such claim shall be sufficient notice in respect of that week for the purposes of regulation 3 and where a person has claimed maternity benefit such claim shall be sufficient notice for the purposes of regulation 8.

(2) It shall be a condition of a person's right to be credited with a contribution for any week under the provisions of regulation 2 that he shall attend at a local office on every working day in that week for which he does not claim unemployment benefit and, if directed to do so, shall sign a register kept there for that purpose and that he shall so attend at such times as the Ministry may direct:

Provided that—

(*a*) a person residing at a distance of more than three miles, but not more than five miles, from the local office nearest or most convenient to

(**a**) See reg. 4 of S.R. & O. (N.I.) 1957, No. 268.
(**b**) See reg. 3 of and Pt. I of Sch to S.R. & O. (N.I.) 1951. No. 181.
(**c**) See reg. 5(1) and Pt. I of Second Sch. to S.R. & O. (N.I.) 1954, No. 35.
(**d**) See reg. 7 of S.R. & O. (N.I.) 1957, No. 173.