Commencement (No. 3) Order (Northern Ireland), 1957

ORDER, DATED 19TH DECEMBER, 1957, MADE BY THE MINISTER OF LABOUR AND NATIONAL INSURANCE UNDER THE NATIONAL INSURANCE ACT (NORTHERN IRELAND), 1957.

1957. No. 265 **[NC]**

Whereas it is provided by subsection (3) of section 10 of the National Insurance Act (Northern Ireland), 1957(a) (hereinafter referred to as "the Act") that the Act shall come into operation on such day as the Minister of Labour and National Insurance may by order appoint:

Now, therefore, I, the Right Honourable Ivan Neill, Minister of Labour and National Insurance for Northern Ireland, hereby make the following Order:—

1. The day of coming into operation of section 7 of the Act (which section substitutes a new section relating to death grant for section 21 of the National Insurance Act (Northern Ireland), 1946(b)) shall be the 1st January, 1958.

2. This Order may be cited as the National Insurance (Commencement) (No. 3) Order (Northern Ireland), 1957, and shall come into operation on the 20th December, 1957.

Given under my hand at Stormont this 19th day of December, 1957.

Ivan Neill,
Minister of Labour and National Insurance for Northern Ireland.

Contributions Amendment Regulations (Northern Ireland), 1957

REGULATIONS, DATED 1ST AUGUST, 1957, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE, IN CONJUNCTION WITH THE MINISTRY OF FINANCE, UNDER THE NATIONAL INSURANCE ACT (NORTHERN IRELAND), 1946.

1957. No. 173 **[C]**

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 the powers conferred by sections 2(5), 5(1) and 58 of the National Insurance Act (Northern Ireland), 1946(c), and of all other powers enabling it in that behalf, hereby makes the following regulations:—

(a) 1957. c.7.
(b) 1946. c.23.
(c) 1946. c.23.

Citation, interpretation and commencement

1. These regulations, which may be cited as the National Insurance (Contributions) Amendment Regulations (Northern Ireland), 1957, shall be read as one with the National Insurance (Contributions) Regulations (Northern Ireland), 1948(a) (hereinafter referred to as "the principal regulations") and shall come into operation on the 5th August, 1957.

Addition to the principal regulations

2. After regulation 3 of the principal regulations there shall be added the following regulation:—

"*Payment of contributions as a non-employed person by persons excepted from liability to pay contributions on account of unemployment or incapacity for work*

3A. Where an insured person is excepted from liability to pay a contribution for any week under the provisions of regulation 2 or of regulation 3 he may, for any such week, pay a contribution as a non-employed person."

Amendment of regulation 4(3) of the principal regulations

3.—(1) Paragraph (3) of regulation 4 of the principal regulations (which regulation provides for determining days of unemployment or incapacity for work for the purpose of exception from liability to pay contributions) shall be amended in accordance with the next following paragraph and shall accordingly have effect as set out in Part I of the schedule hereto.

(2) After sub-paragraph (*a*) of paragraph (3) of the said regulation 4 there shall be inserted the following sub-paragraph:—

"(*aa*) Any period which would in respect of any person be a period of unemployment or incapacity for work by virtue of the provisions of this regulation but for the provisions of section 27 of the Act (which relates to claims and notices) and regulations made thereunder, shall be treated as a period of unemployment or incapacity for work, as the case may be."

Addition to the principal regulations

4. After regulation 4 of the principal regulations there shall be added the following regulation:—

"*Persons over pensionable age*

4A. A person who is over pensionable age shall be excepted from liability to pay a contribution under the Act for any week of unemployment or incapacity to which regulation 2 or regulation 3 of these regulations applies, notwithstanding that the conditions for exception from such liability under either of those regulations are not satisfied in his case."

(a) 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.

Amendment of regulation 5(2) *of the principal regulations*

5.—(1) Paragraph (2) of regulation 5 of the principal regulations (which relates to unemployability supplement) shall be amended in accordance with the following provisions of this regulation and accordingly shall have effect as set out in Part II of the schedule hereto.

(2) In sub-paragraph (*b*) of paragraph (2) of the said regulation 5, for the words "National Insurance (Overlapping Benefits) Regulations (Northern Ireland), 1948" there shall be substituted the words "National Insurance (Overlapping Benefits) Regulations (Northern Ireland), 1949(a)".

Amendment of regulation 7(1) *of the principal regulations*

6.—(1) Paragraph (1) of regulation 7 of the principal regulations (which regulation relates to exception from liability to pay contributions for periods of full time education, unpaid apprenticeship and training) shall be amended in accordance with paragraph (2) of this regulation and shall accordingly have effect as set out in Part III of the schedule hereto.

(2) At the end of paragraph (1) of the said regulation 7 there shall be added the following words:—

"and the provisions of this regulation shall have effect in relation to any person who has not attained the age of eighteen as if any week in a period not exceeding thirteen weeks from and including the week in which the termination of education, apprenticeship or training occurs and ending immediately before the first week thereafter in respect of which a contribution is payable by him as an employed or self-employed person or the week in which he attains the age of eighteen, whichever first occurs, were a week of education, apprenticeship or training, as the case may be."

Amendment of regulation 11 *of the principal regulations*

7. For regulation 11 of the principal regulations (which relates to evidence for the purpose of credits) there shall be substituted the following regulation:—

"Evidence for the purpose of credits

11. It shall be a condition of any person's right to be credited with a contribution for any week under any of the provisions of regulations 2, 3 and 8 of these regulations 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 such week a person has claimed unemployment or sickness benefit such claim shall be sufficient notice in respect of that week for the purposes of regulation 2 or regulation 3 of these regulations, as the case may be, and where a person has claimed maternity benefit such claim shall be sufficient notice for the purposes of regulation 8 of these regulations."

(a) S.R. & O (N.I.) 1949, No. 154.

Amendment of regulation 12 *of the principal regulations*

8.—(1) Paragraph (1) of regulation 12 of the principal regulations (which relates to pre-entry and other credits) shall be amended in accordance with paragraph (2) of this regulation and shall accordingly have effect as set out in Part IV of the schedule hereto.

(2) At the end of sub-paragraph (*a*) of paragraph (1) of the said regulation 12 there shall be added the following proviso:—

"Provided that, in the case of a person who by reason of having at some time been outside Northern Ireland did not enter insurance until after he had attained the age of sixteen, the number of contributions so credited shall not, for the purpose of calculating the yearly average of the contributions paid by or credited to him, exceed the number of contributions (of whatever class) which would have been credited to him under the provisions of paragraph (2) of this regulation in respect of the period between the beginning of the contribution year in which he attained the age of sixteen and his attainment of that age if throughout that period he had been an insured person who would have been liable to pay a contribution as a non-employed person but for the provisions of paragraph (*a*) of section 58 of the Act (which paragraph provides that a person shall not be liable to pay a contribution as a non-employed person before attaining the age of sixteen) and of regulations made under section 57 of the Act (which section provides for the modification of the Act in relation to insured persons outside Northern Ireland)."

(3) For paragraph (2) of the said regulation 12 there shall be substituted the following paragraph:—

"(2) A contribution shall be credited to a person who on his entry into insurance is under the age of sixteen for the week in which he enters insurance and for any subsequent week ending before he attains the age of sixteen, being, in either case, a week for which he would have been liable to pay a contribution as a non-employed person but for the provisions of paragraph (*a*) of section 58 of the Act or, in the case of a period of absence from Northern Ireland, but for the provisions of that paragraph and of regulations made under section 57 of the Act, and the contribution so credited for any such week shall be—

(*a*) in the case of a person who but for the said provisions would for that week have been excepted from liability for a contribution under the Act and entitled to have a contribution credited to him as an employed or self-employed person by virtue of any of these regulations, a contribution as an employed person or a self-employed person as if that regulation applied to his case; and

(*b*) in any other case, a contribution as a non-employed person."

Amendment of regulation 15 *of the principal regulations*

9. For regulation 15 of the principal regulations (which relates to contributions to be taken into account) there shall be substituted the following regulation:—

"Contributions to be taken into account

15. Where by virtue of these regulations more than one contribution is credited to any person for any week or a contribution is credited to him for a week in respect of which a contribution is paid in respect of him, not more than one such contribution shall be taken into account for any purpose."

Amendment of regulation 16 *of the principal regulations*

10.—(1) Regulation 16 of the principal regulations (which contains provisions relating to the schedule to those regulations) shall be amended in accordance with the next following paragraph and shall accordingly have effect as set out in Part V of the schedule hereto.

(2) At the end of the said regulation 16, which shall be numbered paragraph (1), there shall be inserted the following paragraph:—

"(2) In determining whether a person shall be excepted from liability for, and credited with, contributions under regulation 2 of these regulations and for no other purpose, the provisions of the foregoing paragraph shall apply to any contributions which under the provisions of regulation 3 of the National Insurance (Seasonal Workers) Regulations (Northern Ireland), 1950(a), are treated as equivalent to contributions of another class."

Given under the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this 1st day of August, 1957, in the presence of

(L.S.) *William Allen,*
Assistant Secretary to the Ministry of Labour and National Insurance for Northern Ireland.

Given under the Official Seal of the Ministry of Finance for Northern Ireland this 1st day of August, 1957, in the presence of

(L.S.) *W. W. Arthur,*
Assistant Secretary to the Ministry of Finance for Northern Ireland.

(a) S.R. & O. (N.I.) 1950, No. 139.