Increase of Benefit and Miscellaneous Provisions (Transitional)

REGULATIONS, DATED 13TH JANUARY, 1955, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE, IN CONJUNCTION WITH THE MINISTRY OF FINANCE, UNDER THE NATIONAL INSURANCE ACTS (NORTHERN IRELAND), 1946 TO 1955.

1955. No. 8 [C]

The Ministry of Labour and National Insurance, in conjunction with the Ministry of Finance, in exercise of the powers conferred by section 62 of the National Insurance Act (Northern Ireland), 1946(a), paragraph 10(2) of the Second Schedule to the National Insurance Act (Northern Ireland), 1953(b), and section 4 of the National Insurance Act (Northern Ireland), 1955(c), 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 may be cited as the National Insurance (Increase of Benefit and Miscellaneous Provisions) (Transitional) Regulations (Northern Ireland), 1955, and shall come into operation on the 15th January, 1955.

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

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

"the Act of 1953" means the National Insurance Act (Northern Ireland), 1953;

"the Act of 1955" means the National Insurance Act (Northern Ireland), 1955;

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

"the Existing Contributors Regulations" means the National Insurance (Pensions, Existing Contributors) (Transitional) Regulations (Northern Ireland), 1948(f), as amended(g);

(a) 1946. c. 23.
(b) 1953. c. 27.
(c) 1955. c. 1.
(d) S.R. & O. (N.I.) 1948. No. 39.
(e) S.R. & O. (N.I.) 1949. No. 124; S.R. & O. (N.I.) 1951. No. 154; S.R. & O. (N.I.) 1952. No. 133 and S.R. & O. (N.I.) 1953. No. 108.
(f) S.R. & O. (N.I.) 1948. No. 129.
(g) S.R. & O. (N.I.) 1949. No. 130; S.R. & O. (N.I.) 1949. No. 159; S.R. & O. (N.I.) 1951. No. 110; S.R. & O. (N.I.) 1951. No. 154; S.R. & O. (N.I.) 1952. No. 133; S.R. & O. (N.I.) 1952. No. 137 and S.R. & O. (N.I.) 1953. No. 108.

"the General Transitional Regulations" means the National Insurance (General Transitional) Regulations (Northern Ireland), 1948(**a**), as amended(**b**);

"the Maternity Benefit Transitional Regulations" means the National Insurance (Maternity Benefit) (Transitional) Regulations (Northern Ireland), 1953(**c**);

"the appointed day" means the 5th July, 1948;

and other expressions have the same meanings as in the principal Act, as amended by any other enactment, including the Act of 1955.

(3) References in these regulations to any enactment or regulations shall include references to such enactment or regulations as amended by any subsequent enactment, order or regulations.

PART II

INCREASES IN RATES OF BENEFIT PAYABLE UNDER REGULATIONS

2. The existing rates of benefit referred to in this Part of these regulations payable by virtue of transitional regulations made under the principal Act and the Act of 1953 shall, in order to bring them into conformity with the increased rates of benefit payable directly under the principal Act by virtue of the Act of 1955, be increased in the manner and to the extent specified or referred to in this Part.

Increase in rates of retirement pensions for existing beneficiaries

3.—(1) As from the 25th April, 1955, paragraph (3) of regulation 9, as amended(**d**), of the Existing Beneficiaries Regulations (which relates to rates of converted pensions for existing beneficiaries(**e**) shall be amended in accordance with the provisions of the next following paragraph, and shall accordingly have effect as set out in Part I of Schedule A to these regulations.

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

(*a*) for the words "29th September, 1952", there shall be substituted the words "25th April, 1955";

(*b*) in paragraph (*a*), for the words "thirty-two shillings and sixpence" and "twenty-one shillings and sixpence", there shall be substituted the words "forty shillings" and "twenty-five shillings" respectively.

(3) As from the 25th April, 1955, the revised schedule set out in Schedule B to these regulations (being the schedule there referred to as the "Third Schedule" and showing in italics in

(**a**) S.R. & O. (N.I.) 1948. No. 239.
(**b**) S.R. & O. (N.I.) 1951. No. 154 and S.R. & O. (N.I.) 1952. No. 176.
(**c**) S.R. & O. (N.I.) 1953. No. 121.
(**d**) Reg. 3 of, and Part I of Schedule A to S.R. & O. (N.I.) 1952. No. 133.
(**e**) S. 62(2)(*b*), National Insurance Act (Northern Ireland), 1946.

columns (3) and (5) the increased rates of retirement pensions for existing beneficiaries) shall be substituted for the Third Schedule, as amended(a), to the Existing Beneficiaries Regulations (which is referred to in the said regulation 9 of those regulations).

Increase in rates of retirement pensions in respect of wives, and for certain wives, of certain existing beneficiaries

4.—(1) As from the 25th April, 1955, regulation 10, as amended(**b**), of the Existing Beneficiaries Regulations (which relates to rates of increases in respect of wives, and of retirement pensions for certain wives, of certain existing beneficiaries) shall be amended in accordance with the provisions of the next following paragraph, and shall accordingly have effect as set out in Part II of Schedule A to these regulations.

(2) In the said regulation 10—

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

(*b*) in the proviso to paragraph (2), for the words "29th September, 1952", there shall be substituted the words "25th April, 1955".

(3) As from the 25th April, 1955, the revised schedule set out in Schedule C to these regulations (being the schedule there referred to as the "Second Schedule" and showing in italics in column (2) the increased rates of retirement pensions in respect of wives, and for certain wives, of certain existing beneficiaries) shall be substituted for the Second Schedule, as amended(**c**), to the Existing Beneficiaries Regulations (which is referred to in the said regulation 10 of those regulations).

Increase in rates of benefit for existing beneficiaries who are widows

5. As from the 25th April, 1955, for the purpose of increasing the rates of benefit payable under regulation 8, as amended(**d**), of the Existing Beneficiaries Regulations (which relates to widowed mothers' allowances, widows' pensions and retirement pensions at reduced rates) and of giving effect to regulation 9 (which amends the provisions of paragraph (1) of regulation 11 of the Existing Beneficiaries Regulations relating to reductions in rates of benefit on account of earnings) the revised schedule set out in Schedule D to these regulations (being the schedule there referred to as the "First Schedule", and showing in italics in columns (2) and (4) respectively the increased rates of widowed mothers' allowances and of widows' pensions and certain retirement pensions for existing beneficiaries who are

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(**a**) Sch. B to S.R. & O. (N.I.) 1952. No. 133.
(**b**) Reg. 4 of, and Part II of Schedule A to S.R. & O. (N.I.) 1952, No. 133.
(**c**) Sch. C to S.R. & O. (N.I.) 1952. No. 133.
(**d**) Reg. 5 of S.R. & O. (N.I.) 1952, No. 133.

widows, and in columns (3) and (5) respectively the rates below which such allowances and pensions shall not be reduced on account of earnings) shall be substituted for the First Schedule, as amended(a), to the Existing Beneficiaries Regulations (which is referred to in the said regulation 8 of those regulations).

Increase in rates of benefit for certain existing contributors

6. As from the 25th April, 1955, the revised schedule set out in Schedule E to these regulations (being the schedule there referred to as the "Fifth Schedule", and showing in italics in the First and Second Tables and in columns (2) and (4) of the Third Table respectively the increased rates of retirement pensions for certain existing contributors(b) and their wives payable at less than the full appropriate weekly rate) shall be substituted for the Fifth Schedule, as amended(c), to the Existing Contributors Regulations (referred to in regulation 14 of those regulations, which relates to the reduction of the rates of retirement pensions of certain existing pensions contributors who attain pensionable age within five years from the appointed day and the wives of such contributors).

Increase in the rates of benefit for certain widows who are existing contributors

7.—(1) As from the 25th April, 1955, paragraph (4) of regulation 11, as amended(d), of the Existing Contributors Regulations (which relates to certain widows over the age of 50 on the appointed day) shall be amended in accordance with the provisions of the next following paragraph, and shall accordingly have effect as set out in Part III of Schedule A to these regulations.

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

Increase in rate of maternity allowance continued under the Maternity Benefit Transitional Regulations

8.—(1) As from the 16th May, 1955, regulation 11 of the Maternity Benefit Transitional Regulations (which provides for continuing the payment of a maternity allowance in certain cases where the allowance is payable in accordance with the old provisions as defined for the purposes of Part II of the Second Schedule to the Act of 1953) shall be amended in accordance with the provisions of the next following paragraph, and shall accordingly have effect as set out in Part IV of Schedule A to these regulations.

(2) In paragraph (ii) of the proviso to the said regulation 11, for the words "thirty-two shillings and sixpence" there shall be substituted the words "forty shillings".

(a) Sch. D to S.R. & O. (N.I.) 1952. No. 133.
(b) S. 62(2)(*a*), National Insurance Act (Northern Ireland), 1946.
(c) Sch. E to S.R. & O. (N.I.) 1952. No. 133.
(d) Reg. 7 of, and Part III of Schedule A to S.R. & O. (N.I.) 1951. No. 154; Reg. 7 of S.R. & O. (N.I.) 1952. No. 133.

PART III

MISCELLANEOUS PROVISIONS

Relaxation of earnings rule for existing beneficiaries who are widows

9.—(1) As from the 25th April, 1955, paragraph (1) of regulation 11, as amended(**a**), of the Existing Beneficiaries Regulations (which relates to reductions in the rate of benefit on account of earnings) shall be amended in accordance with the provisions of the next following paragraph, and shall accordingly have effect as set out in Part V of Schedule A to these regulations.

(2) In the said paragraph (1)—

(*a*) in sub-paragraph (*a*), for the words "forty-three shillings" and "twenty shillings and sixpence" there shall be substituted the words "fifty-one shillings and sixpence" and "twenty-one shillings and sixpence" respectively;

(*b*) in sub-paragraph (*c*), for the words "thirty-two shillings and sixpence" there shall be substituted the words "forty shillings".

Relaxation of earnings rule for widows of existing contributors

10.—(1) As from the 25th April, 1955, regulation 12, as amended(**b**), of the Existing Contributors Regulations (which relates to reductions in the rate of benefit on account of earnings) shall be amended in accordance with the provisions of the next following paragraph, and shall accordingly have effect as set out in Part VI of Schedule A to these regulations.

(2) In the said regulation 12—

(*a*) in paragraph (*a*), for the words "forty-three shillings" and "twenty shillings and sixpence" there shall be substituted the words "fifty-one shillings and sixpence" and "twenty-one shillings and sixpence" respectively;

(*b*) in paragraph (*c*), for the words "thirty-two shillings and sixpence" there shall be substituted the words "forty shillings".

(3) As from the 25th April, 1955, the revised schedule set out in Schedule F to these regulations (being the schedule there referred to as the "Fourth Schedule", and showing in italics in columns (2) and (4) the rates in the case of widowed mothers' allowances and of widows' pensions and certain retirement pensions for widows of existing contributors below which such allowances and pensions shall not be reduced on account of earnings) shall be substituted for the Fourth Schedule, as amended(**c**), to the Existing Contributors Regulations (which is referred to in the said regulation 12 of those regulations).

(**a**) Reg. 8 of, and Part III of Schedule A to S.R. & O. (N.I.) 1952. No. 133.
(**b**) Reg. 9 of, and Part IV of Schedule A to S.R. & O. (N.I.) 1952, No. 133.
(**c**) Schedule F to S.R. & O. (N.I.) 1952, No. 133.