Increase of Benefit and Miscellaneous Provisions

REGULATIONS, DATED 13TH JANUARY, 1955, MADE BY THE NATIONAL INSURANCE JOINT AUTHORITY AND 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. 7 [C]

The National Insurance Joint Authority, in exercise of powers conferred by sections 22, 23, 24 and 29 of the National Insurance Act (Northern Ireland), 1946(a), and the Ministry of Labour and National Insurance, in exercise of the powers conferred by sections 6 and 7 of the National Insurance Act (Northern Ireland), 1955(b), and sections 16(c), 28, 57 and 68 of the National Insurance Act (Northern Ireland), 1946, in each case in conjunction with the Ministry of Finance as far as relates to matters with regard to which the Ministry of Finance has so directed, and in exercise of all other powers enabling them in that behalf, hereby make 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) 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 1955" means the National Insurance Act (Northern Ireland), 1955;

"the Claims and Payments Regulations" means the National Insurance (Claims and Payments) 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) 1955, c. 1.
(c) S. 2 (3), National Insurance Act (Northern Ireland), 1951 (1951. c. 18).
(d) S.R. & O. (N.I.) 1948. No. 196.
(e) Reg. 12 and Second Schedule, National Insurance (Death Grant) Regulations (Northern Ireland), 1949 (S.R. & O. (N.I.) 1949. No. 142); S.R. & O. (N.I.) 1951. No. 154; S.R. & O. (N.I.) 1952. No. 46; S.R. & O. (N.I.) 1952. No. 141; S.R. & O. (N.I.) 1953. No. 123; S.R. & O. (N.I.) 1954. No. 45.
(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; S.R. & O. (N.I.) 1953. No. 108.

"the Hospital In-Patients Regulations" means the National Insurance (Hospital In-Patients) Regulations (Northern Ireland), 1949(a), as amended(b);

"the Increase of Benefit Regulations, 1951" means the National Insurance (Increase of Benefit, Re-entry into Regular Employment and Miscellaneous Provisions) Regulations (Northern Ireland), 1951(c), as amended(d);

"the Maternity Benefit Regulations" means the National Insurance (Maternity Benefit and Miscellaneous Provisions) Regulations (Northern Ireland), 1953(e), as amended(f);

"the New Entrants Regulations" means the National Insurance (New Entrants Transitional) Regulations (Northern Ireland), 1948(g), as amended(h);

"the Overlapping Benefits Regulations" means the National Insurance (Overlapping Benefits) Regulations (Northern Ireland), 1949(i), as amended(j);

"the Unemployment and Sickness Benefit Regulations" means the National Insurance (Unemployment and Sickness Benefit) Regulations (Northern Ireland), 1948(k), as amended(l);

"the Widow's Benefit and Retirement Pensions Regulations" means the National Insurance (Widow's Benefit and Retirement Pensions) Regulations (Northern Ireland), 1948(m), as amended(n);

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.

(a) S.R. & O. (N.I.) 1949. No. 161.
(b) S.R. & O. (N.I.) 1949. No. 162; S.R. & O. (N.I.) 1951. No. 154; S.R. & O. (N.I.) 1952. No. 137; S.R. & O. (N.I.) 1952. No. 147; S.R. & O. (N.I.) 1953. No. 22.
(c) S.R. & O. (N.I.) 1951. No. 154.
(d) S.R. & O. (N.I.) 1952. No. 137.
(e) S.R. & O. (N.I.) 1953. No. 123.
(f) S.R. & O. (N.I.) 1954. No. 35.
(g) S.R. & O. (N.I.) 1948. No. 221.
(h) S.R. & O. (N.I.) 1951. No. 154; S.R. & O. (N.I.) 1952. No. 137.
(i) S.R. & O. (N.I.) 1949. No. 154.
(j) S.R. & O. (N.I.) 1951. No. 154; S.R. & O. (N.I.) 1951. No. 181; S.R. & O. (N.I.) 1952. No. 65; S.R. & O. (N.I.) 1952. No. 137; S.R. & O. (N.I.) 1953. No. 80; S.R. & O. (N.I.) 1953. No. 123.
(k) S.R. & O. (N.I.) 1948. No. 248.
(l) S.R. & O. (N.I.) 1949. No. 197; S.R. & O. (N.I.) 1952. No. 137; S.R. & O. (N.I.) 1953. No. 123; S.R. & O. (N.I.) 1954. No. 22.
(m) S.R. & O. (N.I.) 1948. No. 246.
(n) S.R. & O. (N.I.) 1951. No. 154; S.R. & O. (N.I.) 1952. No. 137; S.R. & O. (N.I.) 1953. No. 108.

PART II

INCREASES IN RATES AND AMOUNTS OF BENEFIT PAYABLE UNDER REGULATIONS

2. The existing rates and amounts of benefit referred to in this Part of these regulations payable by virtue of certain regulations made under the principal Act shall, in order to bring them into conformity with the increased rates and amounts of benefit payable directly under that 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 unemployment and sickness benefit payable at reduced rates owing to partial satisfaction of contribution conditions

3.—(1) As from the 19th May, 1955, paragraph (2) of regulation 13, as amended(a), of the Unemployment and Sickness Benefit Regulations (which relates to partial satisfaction of contribution conditions and reduced rates of benefit) shall be amended by the substitution for the expression "5 and 6" of the expression "and 5".

(2) As from the 19th May, 1955, the revised schedule set out in Schedule B to these regulations (showing in italics in columns (2), (3), (4) and (5) the increased rates of unemployment and sickness benefit, which is payable at reduced rates by reason of partial satisfaction of contribution conditions) shall be substituted for the Second Schedule(b) to the Unemployment and Sickness Benefit Regulations (which is referred to in the said paragraph (2) of those regulations).

Increase in rate of a maternity allowance payable at a reduced rate owing to partial satisfaction of contribution conditions

4. As from the 16th May, 1955, the revised table set out in Schedule C to these regulations (showing in italics in the second and third columns respectively the increased weekly rates of a maternity allowance which is payable at a reduced rate by reason of partial satisfaction of the contribution conditions and the increased weekly rates of any increase of such an allowance in respect of an adult dependant) shall be substituted for the table contained in regulation 13 of the Maternity Benefit Regulations.

Increase in rates of widow's benefit and retirement pensions payable at reduced rates owing to partial satisfaction of contribution conditions

5. As from the 25th April, 1955, the revised schedule set out in Schedule D to these regulations (showing in italics in columns (2), (3), (4) and (5) the increased rates of widow's benefit and retirement pension and of increase of retirement pension in respect of a wife, which are payable at reduced rates by reason of partial satisfaction of contribution conditions) shall be substituted for the Schedule(c) to the Widow's Benefit and Retirement Pensions Regulations (which is referred to in paragraph (2) of regulation 7, as amended(d), of those regulations).

(a) Reg. 3 of S.R. & O. (N.I.) 1952. No. 137.
(b) Schedule A to S.R. & O. (N.I.) 1952. No. 137.
(c) Schedule B to S.R. & O. (N.I.) 1952. No. 137.
(d) Reg. 4 of S.R. & O. (N.I.) 1952. No. 137.

Increase in amount of maternity grant

6.—(1) In any case where—

(*a*) a woman has become entitled before the 16th May, 1955 (hereafter in this regulation called " the appropriate date ") to a maternity grant by virtue of the provisions of regulation 3 of the Maternity Benefit Regulations (which confer title to a maternity grant in respect of expectation of confinement) whether or not payment thereof shall then have been made;

(*b*) the confinement in expectation of which she has become so entitled has not occurred before the appropriate date; and

(*c*) her pregnancy has not otherwise been terminated before the appropriate date;

the amount of the grant shall be increased to ten pounds if, but only if, before the expiration of three months (or such longer period, not exceeding six months, as the determining authority may for good cause allow) beginning with the appropriate date or the date of the confinement (whichever is the later), the beneficiary furnishes, by such means as the determining authority shall accept as sufficient, evidence either that she has been confined or that she is pregnant and that it is to be expected that she will be confined.

(2) In this regulation the expression " the determining authority " means, as the case may require, an insurance officer or a local tribunal appointed or constituted in accordance with the National Insurance (Determination of Claims and Questions) Regulations (Northern Ireland), 1948(**a**), or an umpire or deputy umpire appointed by the Governor of Northern Ireland for the purposes of the principal Act(**b**).

Increase in rates of personal benefit payable at reduced rates to certain hospital in-patients

7.—(1) Regulations 3, 4 and 5, as amended(**c**), of the Hospital In-Patients Regulations (which relate to reduction, by reason of the receipt of free in-patient treatment, of the weekly rates of certain personal benefits) shall be amended in accordance with the provisions of paragraphs (2) to (6) of this regulation as from the appropriate date, and in accordance with the provisions of regulation 15, and shall accordingly have effect as set out in Part I of Schedule A to these regulations.

(2) In paragraph (4) of the said regulation 3 and in paragraph (1) of the said regulation 5, for the words " eleven shillings and sixpence " and " six shillings and sixpence " (wherever they occur), there shall be substituted the words " twelve shillings and sixpence " and " seven shillings and sixpence " respectively.

(3) In the said regulation 4, for the words " six shillings and sixpence " and " twelve shillings and sixpence ", there shall be substituted the words " seven shillings and sixpence " and " fifteen shillings " respectively.

(**a**) S.R. & O. (N.I.) 1948. No. 185.
(**b**) S. 40(3)(*c*) National Insurance Act (Northern Ireland), 1946.
(**c**) S.R. & O. (N.I.) 1952, No. 147; reg. 3 of, and Sch. to S.R. & O. (N.I.) 1953, No. 22.

(4) In paragraph (2) of the said regulation 5, for the words "eighteen shillings", "thirteen shillings" and "six shillings and sixpence", there shall be substituted the words "twenty shillings", "fifteen shillings" and "seven shillings and sixpence" respectively.

(5) In sub-paragraph (*a*) of paragraph (3) of the said regulation 5, for the words "twelve shillings and sixpence", there shall be substituted the words "fifteen shillings".

(6) In sub-paragraph (*b*) of paragraph (3) of the said regulation 5, for the words "twenty-four shillings" and "nineteen shillings", there shall be substituted the words "twenty-seven shillings and sixpence" and "twenty-two shillings and sixpence" respectively.

(7) In this regulation, the expression "the appropriate date" means,—

(*a*) in relation to any personal benefit by way of sickness benefit, widow's allowance, widowed mother's allowance, widow's pension or retirement pension, the day as from which the weekly rate of that benefit is increased by virtue of the Act of 1955, or of any regulations made in consequence of that Act;

(*b*) in relation to any personal benefit by way of widow's basic pension or contributory old age pension, the 25th April, 1955.

Increase in rates of benefit for certain widows who are new entrants

8.—(1) As from the 25th April, 1955, regulation 5, as amended(**a**), of the New Entrants Regulations, (which relates to certain widows over the age of fifty 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 II of Schedule A to these regulations.

(2) In sub-paragraph (*a*) of paragraph (2) of the said regulation 5, for the words "thirty-two shillings and sixpence", wherever they occur, there shall be substituted the words "forty shillings".

PART III

MISCELLANEOUS PROVISIONS

Increase in minimum earnings of a female person employed to have care of a child or children of a beneficiary's family

9.—(1) As from the 19th May, 1955, regulation 12, as amended(**b**), of the Unemployment and Sickness Benefit Regulations (which relates to increase of benefit for a female person having care of a child) 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 (*b*) of paragraph (1) of the said regulation 12, for the words "twenty-one shillings and sixpence" there shall be substituted the words "twenty-five shillings".

(**a**) Reg. 7 of, and Part IV of Schedule A to S.R. & O. (N.I.) 1951, No. 154; S.R. & O. (N.I.) 1952. No. 137.
(**b**) Reg. 6 of S.R. & O. (N.I.) 1952, No. 137.