Mariners (Insurability) Regulations

REGULATIONS, DATED 27TH JULY, 1954, MADE BY THE INDUSTRIAL INJURIES JOINT AUTHORITY AND THE MINISTRY OF LABOUR AND NATIONAL INSURANCE UNDER THE NATIONAL INSURANCE (INDUSTRIAL INJURIES) ACTS (NORTHERN IRELAND), 1946 TO 1953.

1954. No. 115

The Industrial Injuries Joint Authority, in exercise of powers conferred by the First Schedule to the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946 (a), and the Ministry of Labour and National Insurance, in exercise of powers conferred by subsection (1) of section 79 of that Act, subsection 1 of section 1 of the National Insurance (Industrial Injuries) Act (Northern Ireland), 1953 (b), and of all other powers enabling them in that behalf, hereby make the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the National Insurance (Industrial Injuries) Mariners (Insurability) Regulations (Northern Ireland), 1954, and shall come into operation on the 9th August, 1954.

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

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

"the insurable employments Schedule" means Part I of the First Schedule to the Act;

"manager" and "owner" have, in relation to a ship or vessel, the same meaning as in paragraph 2 of the insurable employments Schedule;

and other expressions have the same meanings as in the Act.

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

(4) The Interpretation Act, 1889 (c) applies for the purpose of the interpretation of these regulations in like manner as it applies for the purpose of the interpretation of an Act of the Parliament of Northern Ireland.

Insurable employments

2. The insurable employments Schedule shall have effect as if paragraph 2 (which relates to employment in connection with British ships or vessels) included the employments set out in Part I of the First Schedule hereto, and as if paragraph 3 (which relates to employment as a pilot on board a ship or vessel) included the employments set out in Part II of that schedule.

(a) 1946. c.21. (b) 1953. c.30. (c) 52 & 53 Vict. c.63.

Person to be treated as employer

3. In relation to any person who is employed as master or a member of the crew of a fishing vessel in any employment which is insurable employment by virtue of regulation 2 of these regulations, the owner (or the managing owner or manager, if there is more than one owner) of the fishing vessel shall, for the purposes of the Act, be treated as that person's employer in that employment.

Revocation of regulations

4. In consequence of regulations 2 and 3 of these regulations, the regulations set out in the Second Schedule hereto are hereby revoked to the extent mentioned in the third column of that schedule, but without prejudice to anything duly done or suffered, or to any right, privilege, obligation or liability acquired, accrued or incurred thereunder.

Given under the Official Seal of the Industrial Injuries Joint Authority this 27th day of July, nineteen hundred and fifty-four.

(L.S.) *T. C. Stephens,*
Secretary,
Industrial Injuries Joint Authority.

Given under the Official Seal of the Ministry of Labour and National Insurance this 27th day of July, nineteen hundred and fifty-four.

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

FIRST SCHEDULE

PART I

Regulation 2.

Employments to be included in paragraph 2 of the insurable employments Schedule

1. Employment (other than employment already specified in paragraph 2 of the insurable employments Schedule) in the fishing industry as master or a member of the crew of a fishing vessel, which is manned by more than one person and is a ship or vessel within sub-paragraph (2) of the said paragraph 2 where the person employed is remunerated in respect of that employment in whole or in part by a share in the profits or gross earnings of that fishing vessel and either—

(*a*) during the twelve months immediately preceding the commencement of that employment has, or would but for his being unemployed or incapable of work have, been wholly or mainly engaged in, and derived his livelihood wholly or mainly from, employment in the fishing industry as aforesaid or such employment and any other employment as an employed person within the meaning of the National Insurance Act (Northern Ireland), 1946 (a); or

(a) *See* section 1(2)(*a*), National Insurance Act (Northern Ireland) 1946 (1946. c.23).