8. This Order may be cited as the Stores for Explosives Order (Northern Ireland), 1953, and shall come into operation on the first day of October, 1954.

Given at Government House, Hillsborough, this 29th day of September, 1953.

Brookeborough
Brian Maginess
Harry Midgley
W. V. McCleery
Alex. R. Gordon

FACTORIES

Forms and Particulars

ORDER, DATED 21ST DECEMBER, 1953, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE UNDER THE FACTORIES ACTS (NORTHERN IRELAND), 1938 AND 1949.

1953. No. 160

The Ministry of Labour and National Insurance for Northern Ireland, by virtue of the powers conferred by the Factories Acts (Northern Ireland), 1938 (**a**) and 1949 (**b**), and of all other powers in that behalf, hereby makes the following Order :—

1. This Order may be cited as the Factories (Forms and Particulars) Order (Northern Ireland), 1953.

2. In this Order the expression " the principal Act " means the Factories Act (Northern Ireland), 1938.

3. The Interpretation Act, 1889 (**c**) applies to the interpretation of this Order as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

4. The list of persons employed either as workmen or contractors, in the business of a factory, outside the factory, in classes of work, to which Section 114 of the principal Act applies, which the occupier of a factory and every contractor employed by him in the business of the factory is required by the said section to keep shall be in the form N.I.44 set out in the Schedule to this Order, and contain the particulars and be kept in the manner set out in the said form. Form N.I. 44

5. The Report which every Appointed Factory Doctor is required by Section 132 (6) of the principal Act to make to the Ministry as to examinations made and other duties performed by him in pursuance of the Acts shall be in the form N.I. 520 set out in the Schedule to this Form N.I. 520

(a) 2 Geo. 6. c.23. (b) 13. Geo. 6 c.6. (c) 52 and 53 Vict. c.63.

Order and such report shall be made on or before the seventh day of January in each year.

So much of the Factories (Forms and Particulars) Order (Northern Ireland), 1939 (**a**) as deals with form N.I. 44, and of the Factories (Forms and Particulars) Order (Northern Ireland), 1950 (**b**) as deals with form N.I. 520 is hereby revoked.

Sealed with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this 21st day of December in the year one thousand nine hundred and fifty-three in the presence of

(L.S.) *A. E. Goodbody*,
Assistant Secretary.

SCHEDULE

NOTE :— The Forms constituting the Schedule to the above Order are not printed in this Volume ; they may be obtained from Her Majesty's Stationery Office. —EDITOR.

FAMILY ALLOWANCES

Qualifications

REGULATIONS, DATED 10TH JULY, 1953, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE, IN CONJUNCTION WITH THE MINISTRY OF FINANCE, UNDER THE FAMILY ALLOWANCES ACT (NORTHERN IRELAND), 1945.

1953. No. 107

The Ministry of Labour and National Insurance, in conjunction with the Ministry of Finance, in exercise of the powers conferred on it by paragraph (*b*) of subsection (1) of section 17, subsection (7) of section 21 and subsection (4) of section 24 of the Family Allowances Act (Northern Ireland), 1945 (**c**), 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 Family Allowances (Qualifications) Amendment Regulations (Northern Ireland), 1953, shall be read as one with the Family Allowances (Qualifications) Regulations (Northern Ireland), 1946 (**d**), as amended (**e**) (hereinafter referred to as " the principal regulations ") and shall come into operation on the 14th July, 1953.

(a) S. R. & O. of N.I. 1939 No. 95. (**b**) S. R. & O. of N.I. 1950 No. 87.
(c) 1945 Ch. 19. (**d**) S. R. & O. 1946 No. 25.
(e) S. R. & O. 1952 Nos. 171 and 228.

Amendment of regulation 8 of the principal regulations

2.—(1) Regulation 8 of the principal regulations (which regulation contains definitions of " presence " and " absence " for the purposes of regulation 9, 10 and 11 of the principal regulations) shall be amended in accordance with the following provisions of this regulation and accordingly shall have effect as set out in Part I of the Schedule to these regulations.

(2) In the said regulation 8 —

(*a*) the words " unless the context otherwise requires " shall be omitted ;

(*b*) before each of the words " presence " and " absence " (where each such word occurs for the second time) there shall be inserted the word " actual " ;

(3) At the end of the said regulation 8 there shall be added the words " and ' present ' shall be construed accordingly ".

Amendment of regulation 9 of the principal regulations

3.—(1) Regulation 9 of the principal regulations (which regulation prescribes rules for determining whether an adult's presence in or absence from Northern Ireland is or is not to be treated as temporary) 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 to these regulations.

(2) In the said regulation 9 —

(*a*) in sub-paragraph (*a*) of paragraph (1) the words " in Northern Ireland " shall be omitted ;

(*b*) the following sub-paragraph shall be substituted for sub-paragraph (*b*) of paragraph (1) :—

" (*b*) the absence of a person at any date shall be treated as temporary except in the following circumstances :—

(i) if it is or was when it began for a purpose other than a temporary purpose ; or

(ii) if it has lasted for a continuous period exceeding six months ; or

(iii) if the person is a member of a family for which there was no right to an allowance in existence immediately prior to that date, and for more than twenty-six weeks in the aggregate out of the twelve months immediately preceding that date he has neither been present nor been a member of the Forces, a merchant seaman or a person under treatment :

Provided that the absence of a person at any date while he is a member of the Forces, a merchant seaman or a person under treatment shall always be treated as

temporary if for at least twenty-six weeks in the aggregate out of the twelve months immediately preceding that date he has either been present or, when not so present, been a member of the Forces, a merchant seaman or a person under treatment."

Amendment of regulation 10 *of the principal regulations*

4. In regulation 10 of the principal regulations (which regulation provides for the aggregation of periods of presence in Northern Ireland with periods as a member of the Forces, a merchant seaman or a person under treatment) the words " in Northern Ireland " shall be omitted.

Amendment of regulation 11 *of the principal regulations*

5.—(1) Regulation 11 of the principal regulations (which regulation prescribes rules for determining whether a child's presence in or absence from Northern Ireland is or is not to be treated as temporary) shall be amended in accordance with the following provisions of this regulation and accordingly shall have effect as set out in Part III of the Schedule to these regulations.

(2) In sub-paragraph (*a*) of paragraph (1) of the said regulation 11 the words " in Northern Ireland " shall be omitted.

(3) For paragraph (2) of the said regulation 11 there shall be substituted the following paragraph :—

" (2) The absence of a child who is ordinarily resident in Northern Ireland shall be treated as temporary —

(*a*) if and so long as it is not intended to exceed and has not exceeded six months, for the period of such absence ; or

(*b*) in any other case if it is for a temporary purpose, for such period or periods, if at all, as the Ministry in its discretion may from time to time determine having regard to all the circumstances of the particular case :

Subject to the qualification that a child born during the absence from Northern Ireland of his mother shall not be treated as ordinarily resident in Northern Ireland during any period before he first becomes present in Northern Ireland unless at the date of his birth the absence of his mother was temporary in accordance with the provisions of sub-paragraph (*b*) of paragraph (1) of regulation 9 of these regulations."

Amendment of regulation 13 *of the principal regulations*

6.—(1) As from the 5th April, 1955, regulation 13 of the principal regulations (which regulation prescribes rules for determining whether the absence of a child from a parent or the interruption or reduction of a parent's contribution is or is not to be treated as temporary) shall be amended in accordance with the following provisions of this regulation and accordingly shall have effect as set out in Part IV of the Schedule to these regulations.

(2) In paragraph (1) of the said regulation 13, for sub-paragraph (*c*), there shall be substituted the following sub-paragraph :—

" (*c*) any such absence which does not fall within sub-paragraph (*a*) of this paragraph shall be treated as temporary for a period of twelve weeks and no longer, and any such interruption or reduction which does not fall within sub-paragraph (*a*) or (*b*) of this paragraph shall be treated as temporary for a period of four weeks and no longer :

Provided that if the absence, interruption or reduction has been immediately preceded by an absence, interruption or reduction falling within sub-paragraph (*a*) or (*b*) of this paragraph, or by absence at a school, the said period of twelve weeks or four weeks shall not begin to run until after the termination of that immediately preceding absence, interruption or reduction as the case may be."

(3) In paragraph (2) of the said regulation 13, after the words " any absence from a parent ", the words " and any interruption or reduction of a parent's contribution " shall be omitted.

Circumstances in which a person is to be treated as undergoing full-time instruction

7. The following regulation shall be substituted for regulation 17 of the principal regulations :—

" **17.**—(1) Subject to the provisions of paragraph (2) of this regulation, a person shall be treated for the purposes of the Act as undergoing full-time instruction in a school in any of the following circumstances :—

(*a*) if he is undergoing full-time instruction —

(i) in Northern Ireland, at any University or at any school as defined by the Education Act (Northern Ireland) 1947 (**a**), or establishment for further education ; or

(ii) at any educational, instructional, training or other establishment or institution, whether in Northern Ireland or elsewhere, which, in the opinion of the Ministry, should be treated as an establishment similar to any one of those referred to in (i) ;

and for the purposes of this sub-paragraph any instruction received after the hour of 5 p.m. shall be disregarded ; or

(*b*) if he is receiving primary or secondary education in Northern Ireland otherwise than at school, under special arrangements made under section 52 of the Education Act (Northern Ireland), 1947 (**a**).

(2) A person shall not cease to be treated as undergoing full-time instruction during any period during which he would have been undergoing instruction or receiving education in accordance with the

(a) 1947 Ch. 3.