to which, instead of that condition, the alternative condition contained in paragraph (*b*) of subsection (1) or in subsection (4) of section 17 of the Act applies, the said alternative condition) shall be deemed to be satisfied if the sum total of any periods before the relevant time (as defined in the next succeeding paragraph) during which she was either a married woman, *or entitled either to widow's benefit other than a widow's basic pension or to a widow's pension under the Widows', Orphans' and Old Age Contributory Pensions Acts (Northern Ireland)*, 1936 *to* 1946 *(hereafter in this regulation referred to as the " Contributory Pensions Acts ") in so far as that pension included an additional allowance in respect of a child or children*, or only not so entitled by reason of disqualification, amounts to not less than ten years :

Provided that if throughout the three years immediately preceding the date of any marriage of the widow, she was neither a married woman *nor entitled either to such widow's benefit or to such a widow's pension under the Contributory Pensions Acts* (apart from any disqualification therefor), any period during which she was married, or was so entitled to such benefit *or such pension* before the date of that marriage, shall not be taken into account for the purpose of this regulation.

(2) In the preceding paragraph, the expression " the relevant time " means for the purposes of the said paragraph (*c*) the date of the husband's death, for the purposes of the said paragraph (*b*) the date on which the widow ceases to be entitled to a widowed mother's allowance, and for the purposes of the said subsection (4) the date on which she ceases to be entitled to a widow's pension.

NATIONAL INSURANCE (INDUSTRIAL INJURIES)

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Benefit

REGULATIONS, DATED 16TH OCTOBER, 1953, 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.

1953. No. 135

The Industrial Injuries Joint Authority, in exercise of powers contained in section 30, and section 81 of the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946 (**a**), as amended by section 6 of the National Insurance (Industrial Injuries) Act (Northern Ireland), 1953 (**b**) and the Ministry of Labour and National Insurance in exercise of powers conferred by subsection (2A) of section 14 of the said Act of

(a) 1946. c.21. (b) 1953. c.30.

1946, as amended by the National Insurance (Industrial Injuries) (Amendment) Act (Northern Ireland), 1948 (**a**) and section 3 (2) of the said Act of 1953, and of all other powers enabling them in that behalf, hereby make the following regulations :—

Citation, commencement and interpretation

1. These regulations, which may be cited as the National Insurance (Industrial Injuries) (Benefit) Amendment Regulations (Northern Ireland), 1953, shall be read as one with the National Insurance (Industrial Injuries) (Benefit) Regulations (Northern Ireland), 1948 (**b**) as amended (**c**) (hereinafter referred to as the principal regulations) and shall come into operation on the 21st October, 1953.

Amendment of Part III of the principal regulations

2. In sub-paragraph (*a*) of paragraph (2) of regulation 4A of the principal regulations (**d**) (which regulation relates to the circumstances in which for the purposes of section 14 of the Act, a beneficiary may be treated as being incapable of following an occupation or employment notwithstanding that he has worked thereat), for the words " three months " there shall be substituted the words " six months ".

Amendment of Part VI of the principal regulations

3. The following regulations shall be inserted in Part VI of the principal regulations after regulation 25 :—

" *Provisions as to incapacity for work*

25A.—(1) A person, having suffered an industrial accident, who apart from the provisions of this paragraph would not be treated as incapable of work as a result thereof, shall, for the purposes of the Act, be so treated in respect of any day on which as a result of that accident he satisfies the conditions specified in paragraph (*a*) or paragraph (*b*) of regulation 3 or in regulation 3A of the National Insurance (Unemployment and Sickness Benefit) Regulations (Northern Ireland), 1948 (**e**) as amended (**f**), (which regulations relate to deeming persons to be incapable of work for the purposes of the National Insurance Act).

(2) Subject to the provisions of subsection (2) of Section 11 of the Act (which subsection relates to incapacity for work on the day of the accident) a day shall not be treated for the purposes of benefit as a day of incapacity for work if it is a day which in the opinion of the determining authority would not be treated under paragraph (1) of regulation 6 of the said regulations (which regulation relates to

(a) 1948. c.20. (b) S. R. & O. 1948. No. 203.
(c) S. R. & O. 1949. No. 73 ; 1951. No. 102 ; 1951. No. 161 ; 1951, No. 182 ; 1952. No. 199.
(d) This regulation was inserted by regulation 2 of S. R. & O. 1952. No. 199.
(e) S. R. & O. 1948. No. 248. (f) S. R. & O. 1949. No. 197.

the days not to be treated as days of unemployment or incapacity for work) as —

(*a*) a day of interruption of employment by reason of sub-paragraph (*a*) thereof ; or

(*b*) a day of incapacity for work by reason of sub-paragraph (*f*) or (*g*) thereof.

(3) A day shall not be treated for the purpose of benefit as a day of incapacity for work if it is a day in respect of which a person has not claimed, is disqualified for receiving, or forfeits injury benefit.

Night Workers

25B.—(1) The provisions of this regulation shall apply in relation to night workers for the purpose of benefit.

(2) Subject to the provisions of the next following paragraph —

(*a*) where a period of employment begun on a Saturday extends over midnight into Sunday, the person employed shall, in respect of such period, be treated as having been employed on Saturday only, which day shall not be treated as a day of incapacity for work ; and

(*b*) where a period of employment begun on a Sunday extends over midnight into Monday, the person employed shall, in respect of such period, be treated as having been employed on Monday only, which day shall not be treated as a day of incapacity for work ; and

(*c*) where a period of employment begun on any day other than Saturday or Sunday extends over midnight into the following day, the person employed shall, in respect of such period —

(i) be treated as having been employed on the first day only, if the employment before midnight is of longer duration than that after mignight, and, in that case, the first day shall not be treated as a day of incapacity for work ; or

(ii) be treated as having been employed on the second day only, if the employment after midnight is of longer duration than that before midnight, or if the employments before and after midnight are of equal duration, and, in either of these cases, the second day shall not be treated as a day of incapacity for work.

(3) Where a person —

(*a*) suffers an industrial accident during any such period of employment as is referred to in the preceding paragraph ; and