NATIONAL INSURANCE

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Children's Allowances and Orphans' Pensions (Transitional) Regulations (Northern Ireland), 1952

REGULATIONS, DATED 29TH AUGUST, 1952, 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 1952.

1952. No. 176

The Ministry of Labour and National Insurance, in conjunction with the Ministry of Finance, in exercise of powers conferred by section 62 of the National Insurance Act (Northern Ireland), 1946 (**a**), and section 7 of the Family Allowances and National Insurance Act (Northern Ireland), 1952 (**b**), and of all other powers enabling it in that behalf, hereby makes the following regulations :—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the National Insurance (Children's Allowances and Orphans' Pensions) (Transitional) Regulations (Northern Ireland), 1952, and shall come into operation on the 2nd September, 1952.

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

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

" the Family Allowances Act " means the Family Allowances Act (Northern Ireland), 1945 (**c**) ;

" the Act of 1952 " means the Family Allowances and National Insurance Act (Northern Ireland), 1952 ;

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

(a) 1946. c.23. (b) 1952. c.14. (c) 1945. c.19. (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.

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

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

" the Overlapping Benefits Regulations " means the National Insurance (Overlapping Benefits) Regulations (Northern Ireland), 1949 (**e**), as amended (**f**) ;

" the Ministry " means the Ministry of Labour and National Insurance for Northern Ireland ;

and other expressions have the same meanings as in the principal Act as amended by the National Insurance Act (Northern Ireland), 1951 (**g**), and the Act of 1952.

(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.

(4) The Interpretation Act, 1889 (**h**), 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.

Children's allowances

2.—(1) Notwithstanding the provisions of paragraph (2) of regulation 3 of the Existing Beneficiaries Regulations (which relates to descriptions of additional benefits under the principal Act), a child's allowance shall not, as from the 2nd September, 1952, be treated as a guardian's allowance for the purpose of subsection (4) of section 29 of that Act (which section relates to overlapping benefits).

(2) As from the 2nd September, 1952, a child's allowance which would otherwise be payable in respect of a child shall not be payable in respect of any week if at the beginning of that week an award of an allowance under the Family Allowances Act in respect of the child has been made :

Provided that that child's allowance shall become payable in respect of any such week as aforesaid if and when it has been found by revision of the award, or by an express decision under section 5 of the Family Allowances Act, that the allowance under that Act awarded in respect of the child did not accrue during any part of that week and, in the case of an award or of a decision of the Ministry, the time for making

(**a**) S. R. & O. (N.I.) 1948. No. 129. (**b**) 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. (**c**) S. R. & O. (N.I.) 1948. No. 239. (**d**) S. R. & O. (N.I.) 1951. No. 154. (**e**) S. R. & O. (N.I.) 1949. No. 154. (**f**) S. R. & O. (N.I.) 1951. No. 181 ; S. R. & O. (N.I.) 1951. No. 154 ; S. R. & O. (N.I.) 1952. No. 65 ; S. R. & O. (N.I.) 1952. No. 137. (**g**) 1951. c.18. (**h**) 52 & 53 Vict. c.63.