(*b*) there has been any relevant change of circumstances since the decision was given ; or

(*c*) the decision was based on the decision of any question mentioned in paragraph (1) of regulation 2 or in subsection (2) of section 40 of the Act, and the decision of that question is revised in accordance with the provisions of regulation 5 or in accordance with the provisions of the Family Allowances Act and the regulations made thereunder, as the case may be.

(2) A question may be raised with a view to such a review by means of an application in writing to an insurance officer, stating the grounds of the application.

(3) On receipt of any such application, the insurance officer shall proceed to deal with or refer any question arising thereon in accordance with the provisions of this Part of these regulations.

(4) Any decision given on a review under this regulation, and any refusal to review a decision under this regulation, shall be subject to appeal in like manner as an original decision, and the provisions of this Part of these regulations shall, subject to the necessary modifications, apply in relation to any decision given on a review as they apply to the original decision of a question.

Increase of Benefit, Re-entry into Regular Employment and Miscellaneous Provisions Regulations (Northern Ireland), 1951

REGULATIONS, DATED 24TH AUGUST, 1951, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE AND THE NATIONAL INSURANCE JOINT AUTHORITY, IN CONJUNCTION WITH THE MINISTRY OF FINANCE, UNDER THE NATIONAL INSURANCE ACTS (NORTHERN IRELAND), 1946 TO 1951.

1951. No. 154

The Ministry of Labour and National Insurance, in exercise of powers conferred by sections 4, 7 and 8 of the National Insurance Act (Northern Ireland), 1951, and, in consequence of that Act, the Ministry of Labour and National Insurance, in exercise of powers conferred by sections 16, 28, 43, 57, 62 and 68 of the National Insurance Act (Northern Ireland), 1946, and the National Insurance Joint Authority, in exercise of powers conferred by sections 22, 24 and 29 of the last-mentioned Act, in each case in conjunction with the Ministry of Finance so 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, Re-entry into Regular Employment and Miscellaneous Provisions) Regulations (Northern Ireland), 1951, and shall come into operation on the 24th August, 1951.

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

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

" the Act of 1951 " means the National Insurance Act (Northern Ireland), 1951;

" the Contributory Pensions Acts " means the Widows', Orphans' and Old Age Contributory Pensions Acts (Northern Ireland), 1936 to 1946;

" the Claims and Payments Regulations " means the National Insurance (Claims and Payments) Regulations (Northern Ireland), 1948, as amended;

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

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

" the General Transitional Regulations " means the National Insurance (General Transitional) Regulations (Northern Ireland), 1948;

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

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

" the Overlapping Benefits Regulations " means the National Insurance (Overlapping Benefits) Regulations (Northern Ireland), 1949;

" the Unemployment Benefit Transitional Regulations " means the National Insurance (Unemployment Benefit) (Transitional) Regulations (Northern Ireland), 1948, as amended;

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

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

" the appointed day " means the 5th July, 1948;

and other expressions have the same meanings as in the principal Act as amended by the Act of 1951.

(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, 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.

PART II

INCREASES IN RATES OF BENEFIT PAYABLE UNDER REGULATIONS

2. The existing rates of benefit referred to in this Part of these regulations payable by virtue of regulations made under the principal Act shall, in order to bring them into conformity with the increased rates of benefit payable directly under that Act by virtue of the Act of 1951, be increased in the manner and to the extent specified or referred to in this Part.

Increase in rates of retirement pensions for existing beneficiaries

3.—(1) As from the 3rd September, 1951, paragraph (3) of regulation 9 of the Existing Beneficiaries Regulations (which relates to rates of converted pensions for existing beneficiaries) shall be amended in accordance with the provisions of the next following paragraph, and shall accordingly have effect as set out in Part I of Schedule A to these regulations.

(2) The following proviso shall be added to the said paragraph (3) :—

" Provided that, as from the 3rd September, 1951, in the case of a woman who has attained the age of sixty-five and in the case of a man who has attained the age of seventy, and, as from the 1st October, 1951, in the case of a woman who is between the ages of sixty and sixty-five on that day and in the case of a man who is between the ages of sixty-five and seventy on that day —

(*a*) where the rate of retirement pension payable by virtue of the foregoing provision of this paragraph is the full weekly rate of twenty-six shillings or sixteen shillings, as the case may be, there shall be substituted therefor the rates of thirty shillings and twenty shillings respectively ;

(*b*) where the rate of retirement pension so payable is less than the full weekly rate of twenty-six shillings or sixteen shillings (being one of the rates specified in columns (1) and (3) of the Third Schedule to these regulations) there shall be substituted therefor the increased rate appropriate to the circumstances of the case specified in column (2) or column (4) of that schedule ; and

(*c*) where the rate of retirement pension so payable is calculated by reference to the provisions of section 14 of the Contributory Pensions Act of 1939, now repealed (which provided for modified widow's and old age pensions if certain dependants war pensions were payable), that method of calculation shall continue subject to the substitution of any increased rate ascertained in accordance with the foregoing provisions of

this proviso for the rate of widow's or old age pension which (apart from the provisions of that section) was payable immediately before the appointed day."

(3) As from the 3rd September, 1951, a new schedule, as set out in Schedule B to these regulations (being the schedule referred to in the preceding paragraph of this regulation), shall be added to the Existing Beneficiaries Regulations as the Third Schedule thereto.

Increase in rates of retirement pensions for wives of existing beneficiaries

4.—(1) As from the 3rd September, 1951, regulation 10 of the Existing Beneficiaries Regulations (which relates to rates of increases in respect of wives, and of retirement pensions for certain wives, of existing beneficiaries) 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 the said regulation 10 :—

(*a*) in paragraph (1), for the words " twenty-six shillings a week ", there shall be substituted the words " the full weekly rate of thirty shillings a week or twenty-six shillings a week, as the case may be ", and the word " double " shall be inserted before the word " column ", wherever it occurs ;

(*b*) in paragraph (2) before the words " Pensions Act of 1939 " there shall be inserted the word " Contributory " ; and

(*c*) at the end of paragraph (2), there shall be inserted a proviso as follows :—

" Provided that, as from the 3rd September, 1951, in the case of a woman who has attained the age of sixty-five, and, as from the 1st October, 1951, in the case of a woman who is between the ages of sixty and sixty-five on that day, the method of calculation of any retirement pension by reference to the said subsection (3) shall continue subject to the application thereto of the provisions of paragraph (*c*) of the proviso to paragraph (3) of regulation 9."

(3) As from the 3rd September, 1951, the revised schedule set out in Schedule C to these regulations (being the schedule there referred to as the " Second Schedule " and showing in italics in column (2) (*a*) the increased rates of retirement pensions for certain wives of certain existing beneficiaries) shall be substituted for the Second Schedule to the Existing Beneficiaries Regulations (which is referred to in the said regulation 10 of those regulations).

Increase in rates of benefit for existing beneficiaries who are widows

5.—(1) As from the 3rd September, 1951, regulation 8 of the Existing Beneficiaries Regulations (which relates to widowed mothers' allowances, widows' pensions and retirement pensions at reduced rates) shall be amended by the substitution for the words " or fourth " of the words " fourth or sixth ".

(2) As from the 3rd September, 1951, for the purpose of giving

effect to the foregoing paragraph of this regulation, and to regulation 14 (which latter regulation amends the provisions of paragraph (1) of regulation 11 of the Existing Beneficiaries Regulations relating to reductions in rates of benefit on account of earnings) the revised schedule set out in Schedule D to these regulations (being the schedule there referred to as the " First Schedule ", and showing in italics in columns (2) and (6) respectively the increased rates of widowed mothers' allowances and certain retirement pensions for existing beneficiaries who are widows, and in columns (3) and (7) respectively the rates below which such allowances and pensions shall not be reduced on account of earnings) shall be substituted for the First Schedule to the Existing Beneficiaries Regulations (which is referred to in the said regulation 8 of those regulations).

Increase in rates of benefit for certain existing contributors

6. As from the 3rd September, 1951, the revised schedule set out in Schedule E to these regulations (being the schedule there referred to as the " Fifth Schedule ", and showing in italics in the Second and Fourth Tables and in columns (2) (*a*) and (4) (*a*) of the Fifth Table respectively the increased rates of retirement pensions for certain existing contributors and their wives payable at less than the full appropriate weekly rate) shall be substituted for the Fifth Schedule to the Existing Contributors Regulations (referred to in regulation 14 of those regulations, which relates to the reduction of the rates of the retirement pensions of certain existing pensions contributors who attain pensionable age within five years from the appointed day and the wives of such contributors).

Increase in rates of benefit for certain widows who are either existing contributors or new entrants

7.—(1) As from the 3rd September, 1951, regulation 11 of the Existing Contributors Regulations and regulation 5 of the New Entrants Regulations (which provisions relate 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 Parts III and IV respectively of Schedule A to these regulations.

(2) At the end of sub-paragraph (*a*) of paragraph (4) of the said regulation 11, and also at the end of sub-paragraph (*a*) of paragraph (2) of the said regulation 5, there shall be inserted a proviso as follows :—

" Provided that —

(i) in the case of a widow who is over the age of sixty-five, or who on the 1st October, 1951, is between the ages of sixty and sixty-five, the references in this sub-paragraph to twenty-six shillings (other than the first such reference, which relates to the rate of dependants war pensions) shall be construed as references to thirty shillings ; and