Section of the Act	Subject matter	Regulations in relation to the making of which the Joint Authority is substituted for the Ministry
74 (1) ...	Meaning of "benefit year" and "contribution year".	Regulations as to the meaning of "benefit year" and "contribution year".
74 (5) ...	Earnings and rate of remuneration.	Regulations as to the calculation of earnings and rate of remuneration.

Residence

1948. No. 207
See p 961

1948. No. 210
See p 929

Seamen's Special Fund

1948. No. 230
See p 935

Share Fishermen

1948. No. 219
See p 937

Sickness Benefit, Maternity Benefit, etc.

1948. No. 228
See p 942

Transfer of Assets

1948. No. 200
See p 956

Extension of Unemployment Benefit

1948. No. 218
See p 959

Sealed with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this 2nd day of July, 1948, in the presence of

L.S.

William Allen,
Assistant Secretary to the Ministry of Labour and National Insurance for Northern Ireland.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 2nd day of July, 1948, in the presence of

L.S.

John I. Cook,
Assistant Secretary to the Ministry of Finance for Northern Ireland.

Sickness Benefit, Maternity Benefit and Miscellaneous Provisions (Transitional) Regulations

REGULATIONS, DATED 2ND JULY, 1948, MADE BY THE NATIONAL INSURANCE JOINT AUTHORITY AND THE MINISTRY OF LABOUR AND NATIONAL INSURANCE, IN CONJUNCTION WITH THE MINISTRY OF FINANCE, UNDER THE NATIONAL INSURANCE ACT (NORTHERN IRELAND), 1946.

Amended 1949 S.R.&O.(N.I.) 141 1948. No. 228

The National Insurance Joint Authority and the Ministry of Labour and National Insurance, acting in conjunction with the Ministry of Finance, in exercise of powers conferred by sections 62 and 66 of the National Insurance Act (Northern Ireland), 1946, and 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 (Sickness Benefit, Maternity Benefit and Miscellaneous Provisions) (Transitional) Regulations (Northern Ireland), 1948, and shall come into operation on the 2nd July, 1948.

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

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

" the Health Insurance Act " means the National Health Insurance Act, 1936;

" the Health Insurance Acts " means the National Health Insurance Acts (Northern Ireland), 1936 to 1946;

" the Arrears Regulations " means the National Health Insurance (Arrears) Regulations, 1937;

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

"contributions under the Health Insurance Acts" excludes contributions under those Acts in respect of an exempt person or a juvenile contributor;

"existing contributor" has the meaning assigned to it by regulation 2;

"first normal contribution year" means the contribution year applicable to an existing contributor under regulation 2 of the National Insurance (General Benefit) Regulations (Northern Ireland), 1948, commencing, as the case may be, on the 7th March, 1949, the 6th June, 1949, the 5th September, 1949, or the 5th December, 1949;

"first normal benefit year" means the benefit year applicable to an existing contributor under regulation 2 of the National Insurance (General Benefit) Regulations (Northern Ireland), 1948, commencing, as the case may be, on the 1st August, 1949, the 7th November, 1949, the 6th February, 1950, or the 1st May, 1950;

and other expressions have the same meanings as in the Act, or, in relation to any period before the appointed day, the Health Insurance Acts.

(3) References in these regulations to entry into insurance, and to contributions, under the Health Insurance Acts refer to last entry into insurance under those Acts, and to contributions subsequent to such entry.

(4) 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.

(5) The Interpretation Act, 1921, applies to the interpretation of these regulations as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

PART II

Sickness Benefit and Maternity Benefit

Existing contributors

2. In these regulations, references to an existing contributor shall be construed as meaning any person who immediately before the appointed day was, or was treated as, an insured person under the Health Insurance Act.

Insurance and contributions under the Health Insurance Act to be taken into account for the purposes of the Act.

3.—(1) In determining whether the conditions for the receipt of sickness benefit, a maternity grant, an attendance allowance or a maternity allowance under the Act have been satisfied, the insurance under the Health Insurance Acts of an existing contributor, the contributions under those Acts paid, and the contributions under those Acts deemed to be or treated as paid by or in respect of him, shall be treated as if they were respectively insurance, contributions of the appropriate class

paid, and contributions of that class credited under the Act subject to the following provisions:—

(*a*) For the purposes of sickness benefit, maternity grant and attendance allowance—

(i) only contributions paid, and contributions which, under paragraph (2) of regulation 2 of the National Health Insurance and Contributory Pensions (Navy, Army and Air Force Emergency Provisions) Regulations, 1945, are treated as paid, shall be taken into account as contributions paid for the purposes of the contribution conditions contained in sub-paragraph (*a*) of paragraph 1 and in sub-paragraph (1) (*a*) of paragraph 2 of the Third Schedule to the Act (which conditions relate to contributions paid since entry into insurance) and for the purpose of satisfying the provisions of subsection (2) of section 11 of the Act (which subsection relates to exhaustion of sickness benefit);

(ii) only contributions which are for the purposes of the Arrears Regulations paid or deemed to be or treated as paid shall be taken into account as contributions paid or credited for the purposes of the contribution conditions contained in sub-paragraph (*b*) of paragraph 1 and in sub-paragraph (1) (*b*) of paragraph 2 of the said Third Schedule (which conditions relate to the contributions paid or credited in the relevant contribution year);

(iii) a person who became an insured person under the Health Insurance Acts after the commencement of the contribution year under those Acts ending on the 4th July, 1948, shall be treated as if, under paragraph (1) of regulation 5 of the Arrears Regulations (which paragraph relates to the deeming of contributions in respect of a period before entry into insurance), contributions had been deemed to have been paid for the period between the commencement of the preceding contribution year and the end of the contribution week immediately preceding his entry into insurance under those Acts.

(*b*) For the purposes of maternity allowances—

(i) no account shall be taken of contributions deemed to have been paid under paragraph (1) of regulation 5 of the Arrears Regulations;

(ii) only contributions which were paid in respect of weeks during which the claimant was employed within the meaning of the Health Insurance Acts, or was treated as if so employed, and contributions which under paragraph (2) of regulation 2 of the National Health Insurance and Contributory Pensions (Navy, Army and Air Force

Emergency Provisions) Regulations, 1945, are treated as paid, shall, in respect of weeks before the appointed day be counted towards the twenty-six contributions required by sub-paragraph (*b*) of paragraph 3 of the said Third Schedule (which paragraph relates to the contributions paid or credited in the relevant period of fifty-two weeks);

(iii) only contributions which are counted for the purpose of the immediately preceding sub-paragraph, and contributions which for the purposes of the Arrears Regulations are deemed to have been paid for weeks during which the claimant was incapable of work by reason of some specific disease or bodily or mental disablement or was available for but unable to obtain employment, shall be taken into account as contributions respectively paid by and credited to the claimant for the purpose of the contribution condition contained in sub-paragraph (*a*) of paragraph 3 of the said Third Schedule.

(2) For the purposes of this regulation—

(*a*) a contribution paid (including a contribution surrendered) on or after the appointed day in respect of any period before that day shall for the corresponding purposes of the Act be taken into account to the same extent and subject to the same conditions as that contribution would, but for the Act, have been taken into account under the Health Insurance Act; and

(*b*) where at the appointed day a contribution has not been paid or deemed to have been paid by or in respect of an existing contributor under the Health Insurance Act for any week before that day, a contribution shall for the corresponding purposes of the Act be deemed to have been paid by or in respect of him for that week if a contribution would, but for the Act, have been deemed to have been so paid under the Health Insurance Act;

(*c*)—(i) the Arrears Regulations shall be construed as if the provisions of the National Health Insurance (Arrears) Amendment Regulations, 1940, had effect with respect to arrears of contributions accruing in respect of the contribution year under the Health Insurance Act terminating on the 4th July, 1948; and

(ii) in a case where there are less than fifty contributions paid or deemed to be or treated as paid in a contribution year under the Health Insurance Act which is relevant to a claim for sickness benefit under the Act, the rate (if any) of that benefit shall, in a case to which regulation 5 applies, be determined in accordance with that regulation, and in any other case, be determined in accordance with regulation 13 of the National Insurance (Unemployment and Sickness