Given under the Official Seal of the Ministry of Labour for Northern Ireland this 16th day of March, in the year One thousand nine hundred and forty.

(Signed) *W. Allen*,
(L.S.) Assistant Secretary to the Ministry of Labour for Northern Ireland.

Regulations.

REGULATIONS, DATED AUGUST 22, 1940, MADE BY THE NATIONAL HEALTH INSURANCE JOINT COMMITTEE AND THE MINISTRY OF LABOUR, IN CONJUNCTION WITH THE MINISTRY OF FINANCE, UNDER THE NATIONAL HEALTH INSURANCE ACTS (NORTHERN IRELAND), 1936 TO 1939, AND THE WIDOWS', ORPHANS' AND OLD AGE CONTRIBUTORY PENSIONS ACTS (NORTHERN IRELAND), 1936 TO 1940.

1940. No. 113.

The National Health Insurance Joint Committee and the Ministry of Labour, in conjunction with the Ministry of Finance, in exercise of the powers conferred by the National Health Insurance Acts (Northern Ireland), 1936 to 1939, and the Widows', Orphans' and Old Age Contributory Pensions Acts (Northern Ireland), 1936 to 1940, and of all other powers enabling them in that behalf, hereby make the following regulations :—

1.—(1) These regulations may be cited as the National Health Insurance and Contributory Pensions (Transitional) Regulations (Northern Ireland), 1940, and shall have effect as from the 1st July, 1940.

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

" The Insurance Acts " mean the National Health Insurance Acts (Northern Ireland), 1936 to 1939;

" The Insurance Act of 1936 " means the National Health Insurance Act, 1936, as amended by any subsequent enactment;

" The Contributory Pensions Acts " mean the Widows', Orphans' and Old Age Contributory Pensions Acts (Northern Ireland), 1936 to 1940;

" The Pensions Act of 1936 " means the Widows', Orphans' and Old Age Contributory Pensions Act (Northern Ireland), 1936, as amended by any subsequent enactment;

" The Act of 1937 " means the Widows', Orphans' and Old Age Contributory Pensions (Voluntary Contributors) Act (Northern Ireland), 1937, as amended by any subsequent enactment;

" The Emergency Act of 1939 " means the National Health Insurance and Contributory Pensions (Emergency Provisions) Act, 1939;

" The Act of 1940 " means Part I of the Old Age and Widows' Pensions Act (Northern Ireland), 1940;

" The Great Britain Act of 1940 " means Part I of the Old Age and Widows' Pensions Act, 1940;

" Workmen's Compensation Acts " mean the Workmen's Compensation Act, 1906, the Workmen's Compensation Acts, 1925 to 1931, and the Workmen's Compensation Acts (Northern Ireland), 1927 and 1931;

" Voluntary Contributor " means a voluntary contributor under the Pensions Act of 1936 other than a special voluntary contributor;

" The Ministry " means the Ministry of Labour for Northern Ireland;

" The Joint Committee " means the National Health Insurance Joint Committee;

" The appropriate date " means, in the case of a woman who attained the age of sixty before the 1st July, 1940, the 1st July, 1940, and, in the case of a woman who attains that age on or after that date, the date of attaining that age;

The expressions " employed contributor ", " contribution year ", " free insurance period " and " extended insurance period " have the same meanings as in the Insurance Act of 1936;

The expression " period of the present emergency " has the same meaning as in section 10 of the Emergency Act of 1939;

The expression " sickness payments " has the same meaning as in section 3 of the Act of 1940, and the expression " Special Suspense Fund " has the same meaning as in sub-section (2) of section 4 of that Act;

" The Insurance Fund " means the Navy, Army and Air Force Insurance Fund;

" The Insurance Section " means the Deposit Contributors Insurance Section;

The " appropriate body " means the approved society, or a branch thereof for the purposes of the Insurance Acts, of which a woman is a member, or the Insurance Section, or the Insurance Fund, as the case may require;

"Member" means a member for the purposes of the Insurance Act of 1936.

(3) 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.

2.—(1) If a woman was immediately before the 1st July, 1940, insured under the Contributory Pensions Acts, and by reason of the passing of the Act of 1940 is to any extent unable to continue from the appropriate date to qualify for an old age pension under those Acts, she shall, in respect of the appropriate period specified in paragraph (2) of this regulation, be entitled to continue so to qualify, by paying contributions in accordance with and subject to the provisions of regulations 3, 4 and 5, if the following conditions are fulfilled, namely :—

(*a*) that, if she attains the age of sixty after the 1st July, 1940, she was insured under those Acts from that date to the date of attaining that age; and

(*b*) that she was insured under those Acts for a period of less than five years immediately before the appropriate date.

(2) The appropriate period for the purposes of paragraph (1) of this regulation shall be :—

(*a*) in the case of a woman who attained the age of sixty before the 1st July, 1940, from the 1st July, 1940, until the completion of five years' insurance or the attainment of the age of sixty-five, whichever is the earlier; and

(*b*) in the case of a woman who attains the age of sixty on or after the 1st July, 1940, from attaining that age until the completion of five years' insurance.

3.—(1) A woman who satisfies the provisions of paragraph (1) of regulation 2 shall, for the purposes of that regulation, be entitled to become a voluntary contributor and to pay contributions as such in respect of the appropriate period specified in paragraph (2) of that regulation, if :—

(*a*) she had, during the period of insurance subsisting immediately before the appropriate date, been employed in an employment or employments entailing the payment of contributions under the Contributory Pensions Acts for a period whether continuous or not of one hundred and four weeks or upwards, and either before or after the appropriate date had ceased to be so employed; and

(*b*) notice of desire to become such a voluntary contributor is given (i) within six months of the date of the cessation

of such employment or within six months after the appropriate date whichever is the later, or, (ii) if such employment ceased before the 1st July, 1940, by the 31st December, 1940, or (iii) within such longer period as the Ministry may in any particular case determine.

(2) Any contributions paid by virtue of the provisions of paragraph (1) of this regulation shall only be taken into account if paid before the 30th day of June or the 31st day of December next following the expiration of six months after the termination of the period of five years' insurance.

4.—A woman who satisfies the provisions of paragraph (1) of regulation 2, and who immediately before the appropriate date was insured as a voluntary contributor by virtue of section 9 of the Act of 1937 or of sub-section (2) or sub-section (3) of section 17 of that Act, shall, for the purposes of regulation 2, be entitled to pay such contributions under the Pensions Act of 1936 as a voluntary contributor, in respect of the appropriate period specified in paragraph (2) of that regulation, as she would have been entitled to pay if the Act of 1940 had not come into force, but such contributions shall be at the increased rate fixed by that Act; and any contributions paid by virtue of this regulation shall only be taken into account if paid within the time specified in paragraph (2) of regulation 3.

5.—(1) If a woman satisfies the provisions of paragraph (1) of regulation 2, and immediately before the appropriate date was insured as an employed contributor and less than one hundred and four contributions under the Insurance Acts had been paid by or in respect of her in respect of the period of insurance then subsisting, she shall, in respect of the appropriate period specified in paragraph (2) of that regulation, if she proves to the satisfaction of the Ministry that during the appropriate period she was either incapable of work or unable to obtain employment within the meaning of the Insurance Acts, be entitled, for the purposes of regulation 2 and within the time prescribed in paragraph (2) of this regulation, to pay contributions under the Pensions Act of 1936 at the ordinary rate in respect of any such period of incapacity or unemployment: provided that the number of contributions which may be so paid shall not, together with those already paid apart from this regulation in respect of the before-mentioned period of insurance, exceed one hundred and four.

(2) The prescribed time for the purposes of paragraph (1) of this regulation shall be up to :—

(*a*) the 30th November next following the contribution year in which the incapacity or unemployment occurred, or up to such later date as the Ministry may in any particular case determine; or

(*b*) the 30th day of June or the 31st day of December next following the expiration of six months after the termination of the period of five years' insurance, or, if the woman attains the age of sixty-five before the termination of that period, after attaining that age,

whichever is the earlier.

6.—A woman who by the 1st July, 1940, had attained the age of sixty and had not attained the age of sixty-five and who on that date was either insured under the Insurance Acts, or insured under the Contributory Pensions Acts as a voluntary contributor, shall continue to be so insured throughout her life.

7.—(1) (*a*) A woman, to whom sub-section (2) of section 17 of the Act of 1937 applies, who is insured on the appropriate date, and in respect of whom contributions have been deemed to have been paid under the proviso to paragraph (1) of regulation 9 of the National Health Insurance (Voluntary Contributors) Regulations (Northern Ireland), 1938, shall, for the purposes of condition (*c*) of sub-section (1) of section 9 of the Pensions Act of 1936, as amended by the Act of 1940, be entitled, if she has attained the age of sixty or will attain that age before the 1st July, 1945, to pay, in respect of any contribution year applicable to her under that condition for which contributions have been so deemed, contributions for any week occurring therein in respect of which contributions have not been paid, but at the rates applicable to her as a voluntary contributor under the Insurance Acts and the Contributory Pensions Acts in respect of the last week of that contribution year :

Provided that if, in respect of any week for which contributions may be paid in accordance with this paragraph, such a woman has cancelled arrears of contributions under the Insurance Acts by making the appropriate payment under the National Health Insurance Arrears Regulations for the time being in force, only a contribution at the ordinary rate applicable to her under the Contributory Pensions Acts for the last week of that contribution year shall be payable by her for any such week.

(*b*) This paragraph shall not apply to any contribution year after the contribution year ending on the 3rd July, 1944.

(2) Any contributions paid by virtue of the provisions of paragraph (1) of this regulation shall only be taken into account if paid within six months after the appropriate date.

8.—(1) Subject to the provisions of these regulations, a woman who immediately before the 1st July, 1940, was insured under the Insurance Acts (in this regulation referred to as " the insured person ") shall be entitled to sickness payments, while rendered