Given under the Official Seal of the Ministry of Finance for Northern Ireland this 16th day of May, nineteen hundred and thirty-eight.

(L.S.) G. C. DUGGAN,
Assistant Secretary to the Ministry of Finance for Northern Ireland.

Old Age Pensions.

REGULATIONS, DATED DECEMBER 31, 1938, MADE BY THE NATIONAL HEALTH INSURANCE JOINT COMMITTEE IN CONJUNCTION WITH THE MINISTRY OF FINANCE FOR NORTHERN IRELAND UNDER THE WIDOWS', ORPHANS' AND OLD AGE CONTRIBUTORY PENSIONS ACT (NORTHERN IRELAND), 1936.

1938. No. 147.

The National Health Insurance Joint Committee in exercise of the powers conferred by sub-sections (3) and (4) of section 16 and paragraph (*b*) of sub-section (4) of section 17 of the Widows', Orphans' and Old Age Contributory Pensions Act (Northern Ireland), 1936, and of all other powers enabling them in that behalf and in conjunction with the Ministry of Finance for Northern Ireland so far as regards regulations, which are required to be so made, hereby make the following regulations :—

1.—These regulations may be cited as the Contributory Pensions (Modification of Old Age Pensions) Regulations (Northern Ireland), 1938, and shall be deemed to have had effect as from the 3rd January, 1938.

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

" the 1925 Act " means the Widows', Orphans' and Old Age Contributory Pensions Act (Northern Ireland), 1925, (now repealed) ;

" the Pensions Act " means the Widows', Orphans' and Old Age Contributory Pensions Act (Northern Ireland), 1936, or any Act repealed by that Act ;

" the Insurance Act " means the National Health Insurance Act, 1936, or any Act repealed by that Act ;

" the 1937 Act " means the Widows', Orphans' and Old Age Contributory Pensions (Voluntary Contributors) Act (Northern Ireland), 1937 ;

" the 1938 regulations " means the Contributory Pensions (Voluntary Contributors) Regulations (Northern Ireland), 1938, as amended by the Contributory Pensions (Voluntary Contributors) Amendment Regulations (Northern Ireland), 1938.

" exempt person " means an exempt person within the meaning of the Insurance Act;

" insurance " means insurance for the purposes of an old age pension under the Pensions Act, and " insured " has a corresponding meaning.

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

3.—(1) Where an exempt person by whom a certificate of exemption has been surrendered after the 3rd January, 1926, was or is at the date of the surrender, of the age of forty-five or upwards, then, if he becomes entitled otherwise than as a special voluntary contributor to an old age pension under the Pensions Act after the coming into force of these regulations, such pension shall, subject to the provisions of paragraph (2A) of regulation 7 of the 1938 regulations, be payable at the weekly rate appropriate to his age at the date of his first entry into insurance subsequent to the date of the surrender of his certificate, as set out in the table contained in the schedule to these regulations.

(2) Where a person who by virtue of sub-section (5) of section 14 of the 1925 Act, or paragraph (*c*) (now repealed) of sub-section (1) of section 3 of the Insurance Act became a voluntary contributor under the latter Act was at the date of so becoming a voluntary contributor of the age of forty-five or upwards, then, if he becomes entitled otherwise than as a special voluntary contributor to an old age pension under the Pensions Act after the coming into force of these regulations, the pension shall, subject to the provisions of paragraph (2A) of regulation 7 of the 1938 regulations, be payable at the weekly rate appropriate to his age at the date of his entry into insurance as a voluntary contributor as aforesaid, as set out in the table contained in the schedule to these regulations:

Provided that this paragraph shall not apply to a person who at the date specified in this paragraph would have been entitled to become a voluntary contributor if his insurance as an exempt person had been disregarded.

4.—Where a person to whom paragraph (b) of sub-section (4) of section 17 of the Pensions Act applies is or becomes insured, and becomes entitled to an old age pension under the Pensions Act after the coming into force of these regulations, he shall, subject to the provisions of paragraph (2A) of regulation 7 of the 1938 regulations, be entitled to an old age pension under that Act—