payable by way of payment on account to the Vote of the Ministry of Labour under these regulations.

8.—Except as provided in the preceding Article the Contributory Pensions (Appropriation in Aid) Regulations (Northern Ireland), 1926, dated 12th June, 1926, shall cease to have effect.

Sealed with the Official Seal of the Ministry of Finance this fifth day of October, 1938, in the presence of

(Signed) G. C. DUGGAN,
Assistant Secretary.

(L.S.)

Claims and Payment.

REGULATIONS, DATED 8TH JANUARY, 1938, MADE BY THE NATIONAL HEALTH INSURANCE JOINT COMMITTEE AND THE MINISTRY OF LABOUR FOR NORTHERN IRELAND, 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. 5.

The National Health Insurance Joint Committee and the Ministry of Labour for Northern Ireland, acting jointly so far as regards Regulations which the said Joint Committee is empowered to make jointly with the said Ministry, and acting separately so far as regards Regulations which the said Joint Committee or Ministry is empowered to make alone, and in conjunction with the Ministry of Finance for Northern Ireland so far as regards Regulations which are required to be so made, in pursuance of the powers conferred by sub-section (1) of section 32 of the Widows', Orphans' and Old Age Contributory Pensions Act (Northern Ireland), 1936, and of all other powers enabling them in that behalf, hereby make the following Regulations :—

1.—These Regulations may be cited as the Contributory Pensions (Claims and Payment) Regulations (Northern Ireland), 1938.

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

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

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

" post-55 widow's pension " means a widow's pension under paragraph 1 of the Fourth Schedule to the Act;

" post-70 old age pension " means an old age pension under the Old Age Pensions Act (Northern Ireland), 1936, payable by virtue of the Act;

" paying officer " means such officer as may be appointed or designated by the Ministry for the purpose of paying pensions under the Act and includes any officer who may be authorised to act as paying officer in pursuance of arrangements made under Section 63 of the Government of Ireland Act, 1920, for the purpose of paying pensions on behalf of the Ministry.

(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) Every person who desires to make a claim for a pension shall make an application for the pension in the appropriate form approved for the time being by the Ministry, or in such other form as the Ministry may accept as sufficient in any special case and shall deliver or send the application to the Ministry or to such officer or person as the Ministry may appoint for the purpose:

Provided that if

(i) the Ministry requires a claimant who has made an application for a pension otherwise than in the appropriate form to make the application afresh in the appropriate form and

(ii) the fresh application is made within one month of the date on which the form is sent to the applicant, or within such longer period as the Ministry may in any special case allow,

the Ministry may accept the date of the earlier application as the date of the claim.

(2) If it appears to any person that although for the time being he or she is not entitled to an old age pension, a post-70 old age pension or a post-55 widow's pension, he or she will, nevertheless, become entitled to such a pension at some future date, that person may make a claim at any time not more than four months before that future date; and if the Ministry is satisfied that the claimant is likely at any time within four months from the date on which the claim is being considered to be entitled to such a pension, it may allow the claim provisionally so as to take effect, subject to the provisions of the Act, on any future date not later than four months from the date of its decision.

(3) Where a widow fails to make a claim for an additional allowance in respect of a child in charge of some person other than the widow, a claim for the additional allowance may be made under these Regulations by the person having the charge of the child, and the Ministry may direct, after consultation with the Ministry of Home Affairs, that any additional allowance payable under such a claim shall be paid to that person for the benefit of the child so long as that person has the charge of the child.

4.—(1) Where, upon the death of a widow who has made application for and was entitled to a widow's pension as part of which an additional allowance was payable, any child in respect of whom such additional allowance was payable becomes eligible for an orphan's pension, the application for the widow's pension shall be treated as an application for an orphan's pension in respect of that child.

(2) Where a woman who has made an application for an old age pension in respect of her husband's insurance (the claim for which pension has not been rejected) becomes upon the death of her husband eligible for a widow's pension, the application shall be treated as an application for a widow's pension.

(3) Where a woman who has made application for and is entitled to a widow's pension, or a person who has made application for and is entitled to an old age pension, attains the age of seventy, the application in either case shall be treated as an application for a post-70 old age pension.

5.—Every officer whom the Ministry may appoint for the purpose shall supply on demand a form of application, gratis, to any person who desires to make a claim for a pension, except in the case of orphans' pensions and in such other special cases as the Ministry may direct, in which excepted cases the Ministry shall cause the form to be supplied, gratis, to the person desiring to make the claim.

6.—(1) Where a claim has been made in the prescribed manner the claim may be amended by notice in writing delivered or sent to the Ministry or to such officer as the Ministry may appoint for the purpose, and the provisions of section 29 of the Act shall apply to the amended claim as though it were a new claim.

(2) Where a claim for a pension in the appropriate form is not duly signed and attested at the date of receipt by the Ministry or such officer or person as the Ministry may appoint for that purpose, the Ministry may, provided that the claim is duly signed and attested and returned within one month of the date on which it is sent to the applicant for completion, treat the claim as valid.