

and any contributions which have been paid, or, apart from this regulation, deemed to have been paid for the period or contribution year in respect of which contributions are deemed to have been paid under this regulation shall, for the purposes of the said calculation, be disregarded :

Provided that this regulation shall not apply to a person who, although insured as a voluntary contributor immediately before the date on which the said section 129 became or becomes applicable to him, had then ceased to be entitled to pay contributions as a voluntary contributor.

(2) This regulation shall have effect only in cases where the relevant contribution years for the purposes of paragraph (b) of sub-section (1) of section 5 or paragraph (c) of sub-section (1) of section 9 of the Pensions Act include the contribution year ended on the 2nd July, 1939, or any subsequent contribution year."

Given under the Official Seal of the National Health Insurance Joint Committee this 8th day of March, nineteen hundred and forty-three.

(L.S.)

Robert Rouse,
Secretary to the National Health Insurance
Joint Committee.

Given under the Official Seal of the Ministry of Finance for Northern Ireland this 8th day of March, nineteen hundred and forty-three.

(L.S.)

H. Ashton,
Assistant Secretary to the Ministry of Finance
for Northern Ireland.

Voluntary Contributors.

REGULATIONS, DATED 31ST DECEMBER, 1943, MADE BY THE NATIONAL HEALTH INSURANCE JOINT COMMITTEE AND THE MINISTRY OF LABOUR, IN CONJUNCTION WITH THE MINISTRY OF FINANCE, UNDER THE WIDOWS', ORPHANS' AND OLD AGE CONTRIBUTORY PENSIONS ACTS (NORTHERN IRELAND), 1936 TO 1941.

1943 No. 143

The National Health Insurance Joint Committee and the Ministry of Labour, acting jointly in conjunction with the Ministry of Finance, in exercise of the powers conferred on them by the Widows', Orphans'

and Old Age Contributory Pensions Acts (Northern Ireland), 1936 to 1941, and of all other powers enabling them in that behalf, hereby make the following regulations :—

1.—(1) These regulations, which may be cited as the Contributory Pensions (Voluntary Contributors) Amendment Regulations (Northern Ireland), 1943, shall be deemed to have had effect as from the 5th January, 1942, and shall be read as one with the Contributory Pensions (Voluntary Contributors) Regulations (Northern Ireland), 1938, as subsequently amended (hereinafter referred to as “the principal regulations”).

(2) In paragraph (2) of regulation 1 of the principal regulations, the following definitions shall be substituted for the corresponding definitions contained therein :—

“ ‘ the 1937 Act ’ means the Widows’, Orphans’ and Old Age Contributory Pensions (Voluntary Contributors) Act (Northern Ireland), 1937, as amended by any subsequent enactment ;

‘ the principal Act ’ means the Widows’, Orphans’ and Old Age Contributory Pensions Act (Northern Ireland), 1936, as amended by any subsequent enactment, or any Act repealed by that Act ;

‘ the Insurance Act ’ means the National Health Insurance Act, 1936, as amended by any subsequent enactment, or any Act repealed by that Act ; ”

(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. In the proviso to sub-paragraph (a) of paragraph (2) of regulation 7 of the principal regulations, the following words shall be inserted after the words “ shall not be included in the said period ” :—

“ (except where the pension is payable by virtue of the provisions of paragraph 2 of the Fourth Schedule to the 1937 Act) ”.

3. Regulation 10 of the principal regulations shall be amended as follows :—

(1) The following provision shall be substituted for sub-paragraph (a) of paragraph (1) other than the proviso to that sub-paragraph :—

“ (a) he shall, during the period he is continuously insured in respect of that employment, any such subsequent employment, and any employment entailing the payment of contributions at the rates mentioned in Part II of the First Schedule to the principal Act, continue to be treated as a voluntary contributor, and not otherwise, for the purposes of the principal Act until there has been employment entailing the payment of contributions at either

of the rates specified in this paragraph in each of one hundred and four weeks whether continuous or not, and one hundred and four contributions have been paid in respect of such employment or employments (hereinafter referred to as "the transitional period") :—

(2) At the end of the said proviso, the following further proviso shall be inserted :—

" Provided also that where a woman is insured as a special voluntary contributor and at the date of termination of the transitional period has attained the age of sixty, she shall, unless she elects to continue to be insured thereafter as a special voluntary contributor, be treated for all purposes as if she had entered that insurance as an employed contributor at the date five years before the date of termination of the transitional period, and as if she had not previously been insured : and, subject to such election, each contribution paid by her as a special voluntary contributor during the said five years shall be treated as a contribution paid in respect of employment."

(3) The following provision shall be substituted for paragraph (2) :—

" (2) In the case of a voluntary contributor under the principal Act who becomes engaged in an excepted employment entailing the payment of contributions at the rate specified in Part IV of the First Schedule to the principal Act, he shall, during the period he is continuously insured in respect of any such employment, continue to be treated as a voluntary contributor, and not otherwise, for the purposes of the principal Act :

Provided that—

(a) if, while insured in respect of such excepted employment, he ceases to be insured as a voluntary contributor by reason of the provisions of subsection (1) of section 5 of the 1937 Act, he shall—

(i) if less than twenty-six contributions have been paid or deemed to have been paid by or in respect of him as a voluntary contributor for the contribution year immediately preceding that in which he entered the excepted employment, be treated for all purposes, other than those of subsection (3) of section 5 of, and the Fourth Schedule to, the 1937 Act, as if he had entered insurance (and had not previously been insured) on the date on which, while a voluntary contributor, he became engaged in the said excepted employment ; and any contribution paid by him as a voluntary contributor for any week commencing subsequent to the said date, for which a contribution has not been paid in respect of the excepted employment, shall be deemed to have been paid in respect of such employment ;

(ii) if twenty-six or more contributions have been paid or deemed to have been paid by or in respect of him as a voluntary contributor for the contribution year immediately preceding that in which he entered the excepted employment, be treated for all purposes, other than those of subsection (3) of section 5 of, and the Fourth Schedule to, the 1937 Act, as if he had been engaged in the said excepted employment from the date of his last entry into insurance; and any contribution paid by him as a voluntary contributor for any week commencing subsequent to the said date, for which a contribution has not been paid in respect of the excepted employment, shall be deemed to have been paid in respect of excepted employment as specified in this paragraph;

(b) if, when he becomes so engaged, he is a voluntary contributor insured for the purposes of widows' and orphans' pensions only, he shall, subject to the provisions of paragraph (a) of this proviso only continue to be so treated as a voluntary contributor until one hundred and four weeks have elapsed since the date on which, while a voluntary contributor, he became engaged in the said excepted employment, and one hundred and four contributions have been paid in respect thereof; and during that period a contribution shall be deemed to have been paid by him as a voluntary contributor for every week in respect of which a contribution has been paid in respect of such excepted employment, and for every week in respect of which the Ministry is satisfied that he has been rendered incapable of work through some specific disease or bodily or mental disablement."

Given under the Official Seal of the National Health Insurance Joint Committee this 31st day of December, nineteen hundred and forty-three.

(L.S.)

Robert Rouse,
Secretary to the National Health Insurance
Joint Committee.

Given under the Official Seal of the Ministry of Labour for Northern Ireland this 31st day of December, nineteen hundred and forty-three.

(L.S.)

W. Allen,
Assistant Secretary to the Ministry of Labour
for Northern Ireland.

Given under the Official Seal of the Ministry of Finance for Northern Ireland this 31st day of December, nineteen hundred and forty-three.

(L.S.)

H. Ashton,
Assistant Secretary to the Ministry of Finance
for Northern Ireland.