

5. For the purpose of the provisions under Rule 4 of these Rules any time spent by the arbitrator in viewing any works, premises, building or land which is the subject matter of the question referred to him shall be treated as part of the hearing. A day shall be taken to be a working period of five hours.

6. The fees under the foregoing provisions shall be paid by means of stamps impressed on the reference for hearing, certificate and arbitrator's award or order respectively.*

7. The fees prescribed in Rule 4 of these Rules shall be in addition to the Stamp Duty charged on Awards by the Stamp Act, 1891.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 29th day of November, 1944, in the presence of

(L.S.)

H. Ashton,

Assistant Secretary.

* All references for hearing transmitted through the post must be in the prescribed form. References for hearing transmitted through the post must be registered and must be accompanied by a Money Order or guaranteed cheque drawn to the order of the Ministry of Finance for Northern Ireland for the amount of the fee payable.

References for hearing should be sent, with the necessary remittance, to the Secretary, Ministry of Finance, Stormont, who will arrange for the documents to be stamped.

CONTRIBUTORY PENSIONS

Exempt and Excepted Persons.

REGULATIONS, DATED MARCH 31, 1944, MADE BY THE NATIONAL HEALTH INSURANCE JOINT COMMITTEE IN CONJUNCTION WITH THE MINISTRY OF FINANCE UNDER THE WIDOWS', ORPHANS' AND OLD AGE CONTRIBUTORY PENSIONS ACTS (NORTHERN IRELAND), 1936 TO 1941.

1944 No. 49

The National Health Insurance Joint Committee 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, and in conjunction with the Ministry of Finance hereby make the following regulations:—

1.—(1) These regulations, which may be cited as the Contributory Pensions (Exempt and Excepted Persons) Amendment Regulations (Northern Ireland), 1944, shall be read as one with the Contributory Pensions (Exempt and Excepted Persons) Regulations (Northern Ireland), 1937 (hereinafter referred to as "the principal regulations").

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

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

‘ the Insurance Act ’ means the National Health Insurance Act, 1936, as amended by any subsequent enactment.”

3. Subject to the provisions of regulation 4 of these regulations the following regulation shall be substituted for regulation 3 of the principal regulations with respect to any period subsequent to the 2nd January, 1938 :—

3.—(1) For the purposes of subsection (1) of Section 16 of the Pensions Act, an exempt person, being a man, who ceases to be employed within the meaning of the Insurance Act shall continue to be insured until the thirtieth day of June, or the thirty-first day of December, whichever next precedes the expiration of a period of two years from the end of the contribution week in which he ceases to be so employed, whether he has, or has not, in the meantime ceased to hold a certificate of exemption :

Provided that if a person, while insured by virtue of the foregoing provision of this regulation, again becomes employed within the meaning of the Insurance Act, he shall not, on ceasing to be so employed, continue to be insured for any longer period than that for which he would have been insured if he had not again become employed unless—

- (i) he has, since the beginning of the contribution half-year following that in which the period during which he continued to be insured began, been so employed for not less than eight weeks, whether continuous or not, in a period comprising two consecutive contribution half-years, in which case he shall continue to be insured for a period commencing on the date on which he ceased to be so employed and calculated in accordance with the foregoing provisions of this regulation ; or
- (ii) he is so employed at the date when, if he were not employed, he would cease to be insured under the provisions of this regulation, in which case he shall, if he does not continue to be insured by virtue of any other provision of this regulation, so continue until the thirtieth day of

June or the thirty-first day of December whichever next follows the date on which he ceases to be employed.

(2) A person who on attaining the age of sixty-five is an insured person either by virtue of subsection (1) of Section 16 of the Pensions Act or by virtue of this regulation shall continue to be so insured throughout his life."

4.—(1) The following regulation shall be substituted for regulation 3 of the principal regulations :—

" 3.—(1) For the purposes of subsection (1) of Section 16 of the Pensions Act, an exempt person, being a man, who ceases to be employed within the meaning of the Insurance Act shall continue to be insured until the thirtieth day of June in the second year after the year which included the first day of the contribution week in which he ceased to be employed, notwithstanding that he may in the meantime have ceased to hold a certificate of exemption.

(2) A person who on attaining the age of sixty-five is an insured person either by virtue of subsection (1) of Section 16 of the Pensions Act or by virtue of this regulation shall continue to be so insured throughout his life."

(2) This regulation shall apply—

(a) to a person who ceases to be employed on or after the 5th January, 1942 ; and

(b) to a person who ceased to be employed before that date and who, but for the provisions of these regulations, would have continued to be insured until the 31st December, 1942, or any later date, subject to the proviso that where a person would have ceased to be insured at the 31st December, 1942, or the 31st December, 1943, he shall in any event continue to be insured until the 30th June, 1943, or, as the case may require, the 30th June, 1944.

5. The provisions of regulation 5 of the principal regulations shall be amended as set out below :—

(a) The opening words of the regulation and paragraphs (1) and (2), in their application to any period subsequent to the 2nd January, 1938, shall apply as if the words " deemed to be ", wherever they occur, were omitted therefrom.

(b) In paragraph (3), the words " or, being a woman, the age of sixty, or, if she attained the age of sixty before the 1st July, 1940, after the 1st July, 1940," shall be added after the words " sixty-five ".

(c) In sub-paragraph (a) of paragraph (4) the words from " have ceased " to the words " first expire " shall, as from and including the 3rd January, 1938, be omitted and the following words substituted therefor ;

“ have, under Section 17 of the Pensions Act and this regulation, in cases to which paragraph (2) of this regulation is applicable, ceased to be insured for the purposes of that Act relating to old age pensions, or, in all other cases, ceased to be insured for the purposes of the Pensions Act, whichever period under sub-paragraph (a) (i) or (ii) shall first expire ”.

6.—(1) Where under Section 6 or Section 7 of the Insurance Act (whether as originally enacted or as applied by regulations made under any of the provisions of the Insurance Act) an employed contributor, or a voluntary contributor who is also insured for pensions purposes, would cease to be treated as insured on the 31st December, 1941, or where under regulation 3 or under regulation 5 of the principal regulations a person would cease to be insured on the 31st December, 1941, or on any of the four days succeeding that date, and on any of those four days he is not employed within the meaning of the Insurance Act or is not an excepted person but would have been so employed or would have been an excepted person if Section 3 of the National Health Insurance, Contributory Pensions and Workmen's Compensation Act, 1941, had then been in force, he shall continue to be treated as insured or to be insured, as the case may be, up to and including the 5th January, 1942, for the purposes of the Pensions Act for which he was so treated as insured or was so insured on the 31st December, 1941.

(2) This regulation shall have effect as from the 31st December, 1941.

7. So much of the Fourth Schedule to the National Health Insurance and Contributory Pensions (Transitional) Regulations (Northern Ireland), 1940, as relates to the amendment of the principal regulations is hereby revoked.

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

(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 31st day of March, nineteen hundred and forty-four.

(L.S.)

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

COUNTY COURT.

Costs : Direction amending the Scales.

1944. No. 20.

WHEREAS by section 84 of the County Officers and Courts (Ireland) Act, 1877 (as that section applies to Northern Ireland and has been extended by section 5 of the County Court Jurisdiction Act (Northern Ireland), 1942) the Lord Chief Justice of Northern Ireland is empowered with the concurrence of the Chairmen within the meaning of that Act or any two of them duly nominated pursuant to section 10 of the County Officers and Courts Act (Northern Ireland), 1925, to frame and from time to time amend a scale of fees costs and charges to be paid to Counsel and Solicitors in suits and proceedings in the County Courts :

NOW I, THE RIGHT HONOURABLE SIR JAMES ANDREWS, Baronet, Lord Chief Justice of Northern Ireland, by virtue of the powers aforesaid and any and every other power me thereunto enabling and with the concurrence of HIS HONOUR JOHN DESMOND CHAMBERS, Recorder of Belfast and County Court Judge and Chairman of Antrim and of HIS HONOUR JOHN CLARKE DAVISON, Recorder of Londonderry, being two Chairmen duly nominated as aforesaid, do hereby DIRECT

That the total of any sum allowed for fees costs and charges (as distinct from payments) shall in respect of any business done by Solicitors in any suit or proceeding commenced in a County Court after the 29th day of February, 1944, be increased by sixteen and two-thirds per centum.

Dated this 29th day of February, 1944.

James Andrews,

Lord Chief Justice of Northern Ireland.

We Concur :

J. Desmond Chambers,

Recorder of Belfast and County Court Judge
and Chairman of Antrim.

John C. Davison,

Recorder of Londonderry.

D R A I N A G E .
Postponement of Prescribed Date.

ORDER, DATED 3rd DAY OF JULY, 1944, MADE BY THE MINISTER OF HOME AFFAIRS UNDER SUB-SECTION (3) OF SECTION TWO OF THE DRAINAGE ACT (NORTHERN IRELAND) 1942.

1944. No. 71.

In exercise of the powers conferred upon me by sub-section (3) of