

(3) Any contribution which a person has paid or had credited to him under the legislation of the United Kingdom before the date of the entry into force of the Agreement, and any period during which a person has been resident in either country before that date, or gainfully occupied, unemployed or incapable of work before that date, shall be taken into account for the purpose of determining the right to receive any benefit in accordance with the provisions of the Agreement.

(4) No provision of the Agreement shall diminish any rights which a person has acquired under the legislation of either country before the date of the entry into force of the Agreement.

#### Article 26

In the event of the termination of the present Agreement, any rights acquired by a person in accordance with its provisions shall be maintained, and the Contracting Parties shall negotiate for the settlement of any rights then in course of acquisition by virtue of its provisions.

#### Article 27

The present Agreement shall enter into force on the first day of April, 1956, and shall remain in force for a period of one year from that date. Thereafter it shall continue in force from year to year unless notice of termination is given in writing by either party at least six months before the expiry of any such yearly period.

Done at Wellington this 20th day of December, 1955.

For the Government of the  
United Kingdom of Great  
Britain and Northern Ireland:  
*G. A. P. Scoones.*

For the Government of New  
Zealand:  
*E. H. Halstead.*

### **Residence and Persons Abroad Amendment Regulations (Northern Ireland), 1956**

REGULATIONS, DATED 28TH DECEMBER, 1956; MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE, IN CONJUNCTION WITH THE MINISTRY OF FINANCE, UNDER THE NATIONAL INSURANCE ACT (NORTHERN IRELAND), 1946.

1956. No. 211

[C]

The Ministry of Labour and National Insurance, in conjunction with the Ministry of Finance, in exercise of the powers conferred by section 57 of the National Insurance Act (Northern Ireland), 1946(a), and of all other powers enabling it in that behalf, hereby makes the following regulations:—

(a) 1946, c. 23.

*Citation, interpretation and commencement*

1. These regulations, which may be cited as the National Insurance (Residence and Persons Abroad) Amendment Regulations (Northern Ireland), 1956, shall be read as one with the National Insurance (Residence and Persons Abroad) Regulations (Northern Ireland), 1948(a) (hereinafter referred to as "the principal regulations") and shall come into operation on the 31st December, 1956.

*Amendment of regulation 3(2) of the principal regulations*

2.—(1) Paragraph (2) of regulation 3 of the principal regulations (which relates to the payment of contributions as a non-employed or self-employed person in respect of periods outside Northern Ireland) shall be amended in accordance with the provisions of paragraph (2) of this regulation and accordingly shall have effect as set out in the schedule hereto.

(2) After sub-paragraph (b) of paragraph (2) of the said regulation 3, there shall be added the following sub-paragraph:—

"(bb) Any contribution which a person is entitled to pay under sub-paragraph (a) of this paragraph may be paid—

- (i) by a person who is ordinarily resident in Northern Ireland or who has resided therein for an aggregate period of at least ten years, at any time not later than the end of the sixth contribution year following the contribution year which includes the contribution week in respect of which it is payable; and
- (ii) by any other person at any time before the end of the benefit year next following the contribution year which includes the contribution week in respect of which the contribution is payable, or within such longer period, being a period ending not later than the end of the sixth contribution year following the contribution year which includes the said contribution week, as the Ministry may in a particular case allow."

*Revocation of regulation 4 of the principal regulations*

3. Regulation 4 of the principal regulations (which contains special provisions for payment of contributions in respect of periods abroad by persons returning to Northern Ireland) is hereby revoked but without prejudice to anything duly done or suffered, or to any right, privilege, obligation or liability acquired, accrued or incurred, thereunder.

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(a) S.R. & O. (N.I.) 1948. No. 210 as amended by S.R. & O. (N.I.) 1949. No. 120; S.R. & O. (N.I.) 1950. No. 155; S.R. & O. (N.I.) 1951. No. 39; S.R. & O. (N.I.) 1952. No. 134; S.R. & O. (N.I.) 1953. No. 123; S.R. & O. (N.I.) 1955. No. 117.

Sealed with the Official Seal of the Ministry of Labour and  
National Insurance for Northern Ireland this 28th day  
(L.S.) of December, 1956, in the presence of

*H. Anderson,*  
Assistant Secretary to the Ministry of Labour  
and National Insurance for Northern Ireland.

Sealed with the Official Seal of the Ministry of Finance for  
Northern Ireland this 28th day of December, 1956,  
(L.S.) in the presence of

*D. C. B. Holden,*  
Assistant Secretary to the Ministry of  
Finance for Northern Ireland.

### SCHEDULE

### Regulation 2

CONTAINING REGULATION 3(2) OF THE PRINCIPAL REGULATIONS  
AS AMENDED BY THESE REGULATIONS

- (2)—(a) Subject to the conditions specified in sub-paragraph (b) of this paragraph, an insured person shall, for any week during the whole of which he is outside Northern Ireland, and for which by virtue of paragraph (1) of this regulation he is not liable to pay a contribution as an insured person, be entitled to pay a contribution as a non-employed person or, if he so desires and is gainfully occupied in that week, as a self-employed person.
- (b) The conditions referred to in the preceding sub-paragraph are:—
- (i) either that, subject to the provisions of sub-paragraph (c) of this paragraph, not less than one hundred and fifty-six contributions of any class under the Act had been paid by him as an insured person, or, alternatively, that he had been resident in Northern Ireland for a continuous period of not less than three years at any time before the week in question.
- (bb) *Any contribution which a person is entitled to pay under sub-paragraph (a) of this paragraph may be paid—*
- (i) *by a person who is ordinarily resident in Northern Ireland or who has resided therein for an aggregate period of at least ten years, at any time not later than the end of the sixth contribution year following the contribution year which includes the contribution week in respect of which it is payable; and*

- (ii) *by any other person at any time before the end of the benefit year next following the contribution year which includes the contribution week in respect of which the contribution is payable, or within such longer period, being a period ending not later than the end of the sixth contribution year following the contribution year which includes the said contribution week, as the Ministry may in a particular case allow.*
- (c) For the purposes of the first of the alternative conditions contained in sub-paragraph (b)(i) of this paragraph, the following provisions shall apply:—
- (i) in the case of a person who became insured under the Insurance Act or the Contributory Pensions Act before the 30th September, 1946, and who continued to be an insured person under either of those Acts up to immediately before the appointed day, and in respect of whom the contributions paid before that day under those Acts since his last entry into insurance were not less than one hundred and four, the said condition shall be deemed to be satisfied;
  - (ii) in the case of a person who became so insured on or after the said 30th September, or in respect of whom less than one hundred and four such contributions were so paid before the appointed day, and who continued to be an insured person under the Insurance Act or the Contributory Pensions Act up to immediately before that day, any such contributions shall count towards the satisfaction of the said condition; and
  - (iii) in either of the foregoing cases, if more than one contribution has been paid under the said Acts for any one week, any such contributions shall for the purposes of this sub-paragraph be treated as if they were one contribution.

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**Unemployment and Sickness Benefit Amendment Regulations  
(Northern Ireland), 1956**

REGULATIONS, DATED 1ST MARCH, 1956, MADE BY THE NATIONAL INSURANCE JOINT AUTHORITY UNDER THE NATIONAL INSURANCE ACT (NORTHERN IRELAND), 1946.

1956. No. 32

[C]

The National Insurance Joint Authority, in exercise of the powers conferred by section 10 of the National Insurance Act

(Northern Ireland), 1946(a), and of all other powers enabling them in that behalf, hereby make the following regulations:—

*Citation, interpretation and commencement*

1. These regulations, which may be cited as the National Insurance (Unemployment and Sickness Benefit) Amendment Regulations (Northern Ireland), 1956, shall be read as one with the National Insurance (Unemployment and Sickness Benefit) Regulations (Northern Ireland), 1948(b) (hereinafter referred to as "the principal regulations") and shall come into operation on the 1st March, 1956.

*Amendment of regulation 6 of the principal regulations*

2. Regulation 6 of the principal regulations (which relates to days which are or are not to be treated, for the purposes of unemployment benefit and sickness benefit, as days of unemployment or incapacity for work and provides, in sub-paragraph (e) of paragraph (1) thereof, that a day on which a person does no work and is on holiday shall not be treated as a day of unemployment) shall be amended by the addition thereto, after paragraph (2), of the following paragraphs:—

"(3) For the purposes of the provisions of sub-paragraph (e) of paragraph (1) of this regulation, a person who—

- (i) is engaged in Northern Ireland under a contract of service (hereafter in this paragraph referred to as "the subsisting contract"), and
- (ii) is on holiday on any day (not being a day which, in accordance with the provisions of the next following paragraph, is to be disregarded in computing any number of days of holiday) occurring during the currency of the subsisting contract,

shall be deemed not to be on holiday on that day (hereafter in this paragraph referred to as "the relevant day") if, in the period beginning on the first day of March next preceding the relevant day and ending immediately before the relevant day, the number of days on which that person has been on holiday while engaged in Northern Ireland under a contract of service equals or exceeds the number of days of holiday recognised or customary in his case in his employment under the subsisting contract in the period of twelve months beginning on the first day of his employment under the subsisting contract or on the first day of March next preceding the relevant day, whichever is the later.

(4) In computing any number of days of holiday for the purpose of the application of the provisions of the last foregoing paragraph in relation to any person, there shall be disregarded any day for which he has been paid unemployment

(a) 1946. c. 23.

(b) S.R. & O. (N.I.) 1948. No. 248 as amended by S.R. & O. (N.I.) 1949. No. 197; reg. 21 and Second Schedule, National Insurance (Maternity Benefit and Miscellaneous Provisions) Regulations (Northern Ireland), 1953 (S.R. & O. (N.I.) 1953. No. 123); S.R. & O. (N.I.) 1954. No. 22; regs. 3 and 9 and Schedule B, National Insurance (Increase of Benefit and Miscellaneous Provisions) Regulations (Northern Ireland), 1955 (S.R. & O. (N.I.) 1955. No. 7); S.R. & O. (N.I.) 1955. No. 19.