

a widow by virtue of her husband's insurance) in the case of any person referred to in sub-paragraph (a) of the said paragraph (1) who immediately before the appointed day is an existing contributor under the Contributory Pensions Acts for the purposes of widows' pensions and orphans' pensions only.

EXPLANATORY NOTE

(This note is not part of the regulations, but is intended to indicate their general purport.)

These regulations provide, for the purposes of the right to retirement pension of a woman by virtue of her own insurance, a method of calculating the yearly average of contributions of a husband who was not insured immediately before 5th July, 1948, and who attained the age of sixty-five or whose marriage terminated by death or otherwise before the expiration of the contribution year in which 5th July, 1948, occurred.

New Entrants Transitional Amendment (No. 2) Regulations (Northern Ireland), 1958.

REGULATIONS, DATED 30TH JULY, 1958, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE, IN CONJUNCTION WITH THE MINISTRY OF FINANCE, UNDER THE NATIONAL INSURANCE ACT (NORTHERN IRELAND), 1946.

1958. No. 133

[C]

The Ministry of Labour and National Insurance, in conjunction with the Ministry of Finance, in exercise of powers conferred by section 68 of the National Insurance Act (Northern Ireland), 1946(a), and of all other powers enabling it in that behalf, hereby makes the following regulations:—

Citation, interpretation and commencement

1. These regulations, which may be cited as the National Insurance (New Entrants Transitional) Amendment (No. 2) Regulations (Northern Ireland), 1958, shall be read as one with the National Insurance (New Entrants Transitional) Regulations (Northern Ireland), 1948(b), (hereinafter referred to as "the principal regulations") and shall come into operation on the second day of August, 1958.

Addition to the principal regulations

2. After regulation 4 of the principal regulations there shall be added the following regulation:—

(a) 1946. c. 23.

(b) S.R. & O. (N.I.) 1948, No. 221 as amended by S.R. & O. (N.I.) 1951, No. 154; S.R. & O. (N.I.) 1952, No. 137; S.R. & O. (N.I.) 1955, No. 7; S.R. & O. (N.I.) 1957, No. 44; S.R. & O. (N.I.) 1957, No. 182; S.R. & O. (N.I.) 1957, No. 269; and S.R. & O. (N.I.) 1958, No. 108.

“ Modifications of the Act in relation to new entrants who enter insurance less than one hundred and fifty-six weeks before attaining the age of sixty-five (men) or sixty (women)

4A.—(1) Subject to the following paragraph, as respects any insured person who—

- (a) on the appointed day was over school leaving age and under pensionable age; but
- (b) was not immediately before that day an existing contributor within the meaning of regulation 2 of the National Insurance (Pensions, Existing Contributors) (Transitional) Regulations (Northern Ireland), 1948,

and who, having attained the age of sixty-five (or, in the case of a woman, sixty), did not enter insurance before the beginning of a period of one hundred and fifty-five contribution weeks ending immediately before the week in which that age was attained if that age was attained on the first day of that week, or in any other case before the beginning of a period of one hundred and fifty-four contribution weeks ending immediately before the week in which that age was attained, the following provisions shall apply:—

- (i) no such person shall be liable to pay a contribution as an employed or self-employed person for any period after attaining the age of sixty-five (or, in the case of a woman, sixty);
- (ii) every such person shall, in respect of each contribution paid by that person as an employed, self-employed or non-employed person, be entitled to a refund of that portion of the contribution which is attributable to widow's benefit and retirement pension, and for that purpose shall be entitled to a refund of the amount set out at the head of Column (2), (3), (4), (6), (7) or (8) of the Second Schedule to these regulations whichever is appropriate together with such interest thereon as will bring the total of the amount to be refunded up to the amount appropriate to the circumstances of the case as set out in the appropriate column.

(2) The provisions of paragraph (1) of this regulation shall not apply to any person to whom regulation 4 of these regulations applies or who under the provisions of the Act or any regulations or orders made thereunder is deemed to have satisfied, or would, if he had retired from regular employment and made a claim for a retirement pension, have been treated as satisfying the condition specified in sub-paragraph (1)(a) of paragraph 4 of the Third Schedule to the Act (which sub-paragraph makes the payment of not less than one hundred and fifty-six contributions of the appropriate class a condition for widow's benefit or retirement pension).”

Additional Schedule to the principal regulations

3. The Schedule set out in the Schedule to these regulations shall be added to the principal regulations as the Second Schedule thereto.

Sealed with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this 30th day of July, 1958, in the presence of

(L.S.)

H. A. Lowry,
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 30th day of July, 1958, in the presence of

(L.S.)

W. W. Arthur,
Assistant Secretary to the Ministry
of Finance for Northern Ireland.

SCHEDULE

Regulation 3

(Note.—The following provisions are by regulation 3 incorporated in the principal regulations as the Second Schedule thereto.)

"SECOND SCHEDULE

Regulation 4A

REFUNDS OF CONTRIBUTIONS TO PERSONS ENTERING INSURANCE
LESS THAN 156 WEEKS BEFORE PENSIONABLE AGE

1. Applicable to contributions in respect of contribution weeks terminating before 3rd February, 1958.

Age of man at expiration of period of currency of contribution card on which contribution was paid (1)	Men			Age of woman at expiration of period of currency of contribution card on which contribution was paid (5)	Women		
	Employed	Self-Employed	Non-Employed		Employed	Self-Employed	Non-Employed
	Portion of contribution to be refunded				Portion of contribution to be refunded		
	pence 41.7 (2)	pence 66.6 (3)	pence 64.2 (4)		pence 32.3 (6)	pence 52.1 (7)	pence 43.7 (8)
	Total number of pence to be refunded (including interest) in respect of each contribution				Total number of pence to be refunded (including interest) in respect of each contribution		
65 and over	42	67	65	60 and over	33	53	49
64	43	68	66	59	33	53	50
63	44	70	67	58	34	55	51
62	45	72	69	57	35	56	52

2. Applicable to contributions in respect of contribution weeks commencing on or after 3rd February, 1958.

Men				Women			
Age of man at expiration of period of currency of contribution card on which contribution was paid (1)	Employed	Self-Employed	Non-Employed	Age of woman at expiration of period of currency of contribution card on which contribution was paid (5)	Employed	Self-Employed	Non-Employed
	Portion of contribution to be refunded				Portion of contribution to be refunded		
	pence 56.7 (2)	pence 88.3 (3)	pence 84.7 (4)		pence 45.1 (6)	pence 68.0 (7)	pence 64.7 (8)
	Total number of pence to be refunded (including interest) in respect of each contribution				Total number of pence to be refunded (including interest) in respect of each contribution		
65 and over	57	89	85	60 and over	46	68	65
64	58	91	87	59	46	70	66
63	60	93	89	58	47	71	68
62	61	95	91	57	49	73	70 "

EXPLANATORY NOTE

(This note is not part of the regulations, but is intended to indicate their general purport.)

These regulations apply to new entrants who (being over school-leaving age on the 5th July, 1948) attain the age of sixty-five in the case of a man or sixty in the case of a woman within three years of entry into insurance and so cannot satisfy the contribution conditions for widow's benefit or retirement pension. The regulations provide that such a person shall not, on attaining that age, be liable to pay contributions as an employed or self-employed person and shall be entitled in respect of each contribution paid to a refund of that portion of the contribution which is attributable to widow's benefit and retirement pension.