

## 1966. No. 118

[C]

## NATIONAL INSURANCE

## General Benefit

REGULATIONS, DATED 31ST MAY, 1966, MADE BY THE NATIONAL INSURANCE JOINT AUTHORITY UNDER THE NATIONAL INSURANCE ACT (NORTHERN IRELAND) 1966.

The National Insurance Joint Authority, in exercise of powers conferred by section 54 of the National Insurance Act (Northern Ireland) 1966(a), and of all other powers enabling them in that behalf, hereby make the following regulations:

*Citation and commencement*

1. These regulations, which may be cited as the National Insurance (General Benefit) Amendment Regulations (Northern Ireland) 1966, shall be read as one with the National Insurance (General Benefit) Regulations (Northern Ireland) 1948(b) (hereinafter referred to as "the principal regulations") and shall come into operation on 1st June, 1966.

*Revocation of regulation 5B of the principal regulations*

2. Regulation 5B(c) of the principal regulations (children treated as included in family for increase of certain benefits) is hereby revoked.

*Amendment of regulation 5C of the principal regulations*

3. For regulation 5C(e) of the principal regulations (contribution towards cost of providing for child), there shall be substituted the following regulation:

*"Contribution towards cost of providing for child*

5C.—(1) Where, apart from section 41(1) of the National Insurance Act (Northern Ireland) 1966, a person is entitled to receive, in respect of a particular child who is, or who falls to be treated for the purposes of the relevant provision as, a child of that person's family, payment of an amount by way of a guardian's allowance under section 28 of that Act or a child's special allowance under section 37 of that Act or of an increase under any of the provisions of section 39 of that Act of any benefit for any period, and neither of the conditions set out in the said section 41(1) of that Act, that is to say—

- (a) that the child in question is living with that person; or
- (b) that contributions to the cost of providing for the child in question are being made at a weekly rate not less than that required by that section,

is satisfied, that person shall nevertheless for the purposes of the said section 41(1) be deemed as respects that period to be making the contributions so required at a weekly rate not less than that required by that section if—

(a) 1966. c. 6 (N.I.).

(b) S.R. & O. (N.I.) 1948, No. 208.

(c) See Part XV of Sch. A to S.R. & O. (N.I.) 1961, No. 3 and Sch. K to S.R. & O. (N.I.) 1965, No. 11.

- (i) he gives an undertaking in writing to make such contributions; and
- (ii) on receiving the amount of the allowance or increase in question, he in fact makes such contributions;

so however, that if in respect of any period he fails to make the contributions which he has undertaken to make in accordance with this regulation, the decision awarding the allowance or increase in question for that period in respect of that child shall be revised.

(2) Where, for the purposes of section 39 of the National Insurance Act (Northern Ireland) 1966, a person has a family which includes children, the elder or eldest of whom is treated as included in his family only by virtue of the provisions of section 40(3) of that Act, and there is also another child living with that person who is included or treated as included in his family otherwise than by virtue of the said section 40(3), that person shall in relation to an increase of sickness benefit, unemployment benefit or retirement pension in respect of the said elder or eldest child be deemed to be contributing to the cost of providing for that child for the purposes of section 41(1)(b) of that Act at a weekly rate not less than that required in the case of that child by that section if he contributes to the cost of providing for that child at a rate not less than the rate appropriate in the circumstances of that case to a child other than the said elder or eldest child in relation to the benefit in question.”

Given under the Official Seal of the National Insurance Joint Authority  
this 31st day of May, 1966.

(L.S.)

*A. Patterson,*

a person authorised by the National  
Insurance Joint Authority to act on  
behalf of the Secretary to the Authority.

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#### EXPLANATORY NOTE

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

These Regulations further amend the National Insurance (General Benefit) Regulations (Northern Ireland) 1948. They substitute for the existing regulation 5C a new regulation 5C which sets out the circumstances in which persons claiming certain benefits in respect of a child can be deemed to satisfy the condition in section 41 of the National Insurance Act (Northern Ireland) 1966 that they are making the required contribution to the cost of providing for the child. They also revoke regulation 5B of those regulations.