Section of the Act	Subject matter	Regulations in relation to the making of which the Joint Authority is substituted for the Ministry
74 (1) ...	Meaning of "benefit year" and "contribution year".	Regulations as to the meaning of "benefit year" and "contribution year".
74 (5) ...	Earnings and rate of remuneration.	Regulations as to the calculation of earnings and rate of remuneration.

Residence

1948. No. 207
See p 961

1948. No. 210
See p 929

Seamen's Special Fund

1948. No. 230
See p 935

Share Fishermen

1948. No. 219
See p 937

Sickness Benefit, Maternity Benefit, etc.

1948. No. 228
See p 942

Transfer of Assets

1948. No. 200
See p 956

Extension of Unemployment Benefit

1948. No. 218
See p 959

the committee constituted under section 7 of the Public Health (Tuberculosis) Act, 1921) shall cease to have effect.

Given under the Official Seal of the National Insurance Joint Authority this 2nd day of July, nineteen hundred and forty-eight.

L.S.

C. D. Curtis,
Secretary,
National Insurance Joint Authority.

Given under the Official Seal of the Ministry of Finance for Northern Ireland this 2nd day of July, nineteen hundred and forty-eight.

L.S.

John I. Cook,
Assistant Secretary to the Ministry of Finance for Northern Ireland.

Share Fishermen Regulations

REGULATIONS, DATED 2ND JULY, 1948, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE, IN CONJUNCTION WITH THE MINISTRY OF FINANCE, UNDER THE NATIONAL INSURANCE ACT (NORTHERN IRELAND), 1946.

Revoked 1949 S.R.&O. (N.I.) 50

1948. No. 219

The Ministry of Labour and National Insurance, in conjunction with the Ministry of Finance so far as relates to matters with regard to which the Ministry of Finance has so directed, in exercise of the powers conferred by sections 1 (3), 7 (1), 8 (1) and 50 (2) of the National Insurance Act (Northern Ireland), 1946, and of all other powers enabling it in that behalf, hereby makes the following regulations:—

Citation, commencement and interpretation.

1.—(1) These regulations may be cited as the National Insurance (Share Fishermen) Regulations (Northern Ireland), 1948, and shall come into operation on the 2nd July, 1948.

(2) In these regulations, unless the context otherwise requires—

" the Act " means the National Insurance Act (Northern Ireland), 1946;

" the Ministry " means the Ministry of Labour and National Insurance for Northern Ireland;

" insurance card " and " emergency card " have the same meanings as in the National Insurance and Industrial Injuries (Collection of Contributions) Regulations (Northern Ireland), 1948;

" manager " means, in relation to any ship or vessel, the ship's husband or other person to whom the management of the ship or vessel is entrusted by or on behalf of the owner; and references

to the owner of a ship or vessel shall, in relation to a ship or vessel which has been demised, be construed as referring to the person for the time being entitled as charterer to possession and control of the ship or vessel, by virtue of the demise or any sub-demise;

"British ship" means all those ships and vessels to which sub-paragraph (2) of paragraph 2 of Part I of the First Schedule to the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946, applies;

"home-trade ship" includes—

(*a*) every ship or vessel employed in trading or going within the following limits, that is to say, the United Kingdom (including for this purpose Eire), the Channel Islands, the Isle of Man, and the continent of Europe between the River Elbe and Brest inclusive;

(*b*) every fishing vessel not proceeding beyond the following limits:—

on the South, Latitude 48° 30′ N.;
on the West, Longitude 12° W.;
on the North, Latitude 61° N.;

and, subject as aforesaid, expressions to which meanings are assigned in the Merchant Shipping Acts, 1894 to 1938, have the same meanings as in those Acts; and other expressions have the same meanings as in the Act.

(3) References in these regulations to any enactment or regulations shall include references to such enactment or regulations as amended by any subsequent enactment, order or regulations.

(4) 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.

Share fishermen.

2. The provisions of these regulations shall apply to any insured person (hereinafter referred to as a "share fisherman") who, during the year, is wholly or mainly engaged in, and derives his livelihood wholly or mainly from, employment as skipper or a member of the crew of a fishing vessel manned by more than one person, in respect of which employment he is remunerated in whole or in part by a share in the profits or gross earnings of the fishing vessel, or a person who, having newly entered into the fishing industry, may reasonably be expected so to be engaged and to derive his livelihood.

Classification of share fishermen.

3.—(1) A share fisherman who is not employed under a contract of service shall nevertheless be treated in respect of employment by virtue of which he is a share fisherman as if he were employed in an employed contributor's employment if he is employed—

(*a*) on board a fishing vessel which is a British ship; or

(*b*) on board a fishing vessel which is not a British ship and—

(i) the employment is commenced in the United Kingdom and is intended to be performed (in whole or in part) while the vessel is on her voyage; and

(ii) the owner (or managing owner, if there is more than one owner) has a place of business in Northern Ireland.

(2) For the purpose of paying contributions in respect of a share fisherman to whom paragraph (1) of this regulation applies, the owner (or managing owner or manager, if there be more than one owner) shall be treated as the employer of that share fisherman.

Contributions of share fishermen on board home-trade ships.

4. In the case of a share fisherman to whom paragraph (1) of the last foregoing regulation applies and who is employed on board a fishing vessel which is a home-trade ship, the following provisions shall apply:—

(*a*) where the fishing vessel is at any time at sea or at a port outside Northern Ireland on the date when an insurance card would, but for this regulation, cease to be current, that insurance card shall remain current—

(i) if the engagement is due to terminate in Northern Ireland, until the termination of the engagement; and

(ii) if the engagement is due to terminate outside Northern Ireland, until the return of the share fisherman to Northern Ireland;

(*b*) where the fishing vessel is at any time at sea or at a port outside Northern Ireland, the employer shall not be required to affix stamps to the insurance card of the share fisherman in respect of contributions payable under the Act unless he then pays wages or other pecuniary remuneration in respect of the period for which contributions are payable, or the employment terminates during that time;

(*c*) every employer shall apply to such person as the Ministry may direct for a sufficient number of emergency cards for use in connection with his fishing vessels, and such emergency cards shall be used where, but only where—

(i) the share fisherman has been unable for any reason to obtain an insurance card before joining the fishing vessel; or

(ii) all the appropriate spaces on the insurance card have been filled by the affixing of stamps;

(*d*) where the employer does not pay wages or other pecuniary remuneration in respect of the employment of the share fisherman, he shall affix stamps to the insurance card of that share

fisherman before the termination of the voyage or the termination of the agreement, whichever happens first, and shall not be bound to affix stamps on the first day of employment in each week;

(*e*) where the share fisherman is left behind on shore in any place outside Northern Ireland by reason of his unfitness or inability to proceed to sea, the employer shall, as soon as may be, deliver his insurance card duly stamped to the Ministry, if the share fisherman is left in any part of His Majesty's dominions, or, if he is left elsewhere, to such person as the Ministry may direct;

(*f*) in the event of the share fisherman deserting the ship, or dying during the period of his engagement, or being left behind on shore in any place outside Northern Ireland for any reason other than his unfitness or inability to proceed to sea, the employer shall deliver his insurance card duly stamped to such person as the Ministry may direct, on the termination of the voyage, or when the ship first returns to a port in the United Kingdom, whichever is the earlier;

(*g*) in any case where, for any reason other than the loss or destruction of the insurance card, the card cannot be delivered in accordance with either of the last two preceding paragraphs, the employer shall, as soon as may be, deliver it to the Ministry.

Contributions of share fishermen on board fishing vessels other than home-trade ships.

5.—(1) In the case of a share fisherman to whom paragraph (1) of regulation 3 applies and who is employed on board a fishing vessel other than a home-trade ship, contributions shall be paid in such manner as the Ministry may from time to time direct, and, in default of any such direction, the employer shall in respect of every voyage of the fishing vessel—

(*a*) prepare a schedule showing the number of contributions payable in respect of all such share fishermen employed on board any such vessel at any time during the voyage;

(*b*) furnish such particulars as the Ministry may require in respect of every such share fisherman on a separate form (hereafter in this regulation called a "voyage card");

(*c*) deliver the schedule and voyage cards to such person as the Ministry may direct, within seven clear days after the termination of the voyage, and at the same time pay to that person the total amount of the contributions shown on the schedule:

Provided that where the agreement with the crew is a fishing boat's running agreement within the meaning of subsection (1) of section 403 of the Merchant Shipping Act, 1894, the voyage shall be

deemed to commence and terminate at the dates of the commencement and termination of the agreement respectively, so, however, that, on every return to a port in the United Kingdom before the final termination of the agreement, the employer shall deliver to such person as the Ministry may direct, a schedule and the appropriate voyage cards, together with the amount of the contributions due—

(i) within seven clear days of such return, in respect of any such share fishermen who have been discharged during the absence of the ship or vessel from the United Kingdom, or before the date of such delivery; and

(ii) before the ship or vessel leaves port, in respect of any such share fishermen who have been discharged since the date of such delivery.

(2) The schedules and voyage cards shall be in such form as may from time to time be approved by the Ministry, and shall be supplied to an employer without charge.

(3) Contributions paid by reference to a schedule and voyage card shall be treated as having been paid week by week in the course of the period in respect of which they were paid.

Duty of skipper.

6. It shall be the duty of the skipper of every fishing vessel to comply with all orders or directions given to him by the owner or manager of the vessel with a view to the carrying into effect of the provisions of the Act and of these or any other relevant regulations made thereunder.

Breach of regulations.

7. If any person contravenes or fails to comply with any requirement of these regulations in respect of which no special penalty is provided, he shall for such offence be liable on summary conviction to a penalty not exceeding ten pounds, or where the offence consists of continuing any such contravention or failure after conviction thereof, ten pounds together with a further ten pounds for each day on which it is so continued.

Application of regulations made under the Act.

8. The provisions of the regulations made under the Act which are applicable to a share fisherman to whom paragraph (1) of regulation 3 applies shall apply with this modification, that, where such a share fisherman is, on account of his being at sea or outside the United Kingdom, by reason of his employment as a share fisherman, unable to perform an act required to be done either forthwith or on the happening of a certain event or within a specified time, he shall be deemed to have complied therewith if he performs the act as soon as is reasonably practicable after the happening of the event or the expiration of the specified time.

Sealed with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this 2nd day of July, 1948, in the presence of

L.S.

William Allen,
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 2nd day of July, 1948, in the presence of

L.S.

John I. Cook,
Assistant Secretary to the Ministry of Finance for Northern Ireland.

Sickness Benefit, Maternity Benefit and Miscellaneous Provisions (Transitional) Regulations

REGULATIONS, DATED 2ND JULY, 1948, MADE BY THE NATIONAL INSURANCE JOINT AUTHORITY AND THE MINISTRY OF LABOUR AND NATIONAL INSURANCE, IN CONJUNCTION WITH THE MINISTRY OF FINANCE, UNDER THE NATIONAL INSURANCE ACT (NORTHERN IRELAND), 1946.

Amended 1949 S.R.&O.(N.I.) 141 1948. No. 228

The National Insurance Joint Authority and the Ministry of Labour and National Insurance, acting in conjunction with the Ministry of Finance, in exercise of powers conferred by sections 62 and 66 of the National Insurance Act (Northern Ireland), 1946, and of all other powers enabling them in that behalf, hereby make the following regulations:—

PART I

General

Citation, commencement and interpretation.

1.—(1) These regulations may be cited as the National Insurance (Sickness Benefit, Maternity Benefit and Miscellaneous Provisions) (Transitional) Regulations (Northern Ireland), 1948, and shall come into operation on the 2nd July, 1948.

(2) In these regulations, unless the context otherwise requires—

" the Act " means the National Insurance Act (Northern Ireland), 1946;

" the Health Insurance Act " means the National Health Insurance Act, 1936;

" the Health Insurance Acts " means the National Health Insurance Acts (Northern Ireland), 1936 to 1946;

" the Arrears Regulations " means the National Health Insurance (Arrears) Regulations, 1937;