(1)	(2)	(3)	(4)	(5)
	Full weekly rate of benefit applicable under Part I of the Second Schedule to the Act.			
	s. d. 26 0	s. d. 20 0	s. d. 16 0	s. d. 15 0
Number of contributions paid or credited in the relevant contribution year.	Reduced rate at which benefit is payable.			
	s. d.	s. d.	s. d.	s. d.
48—49 ..	25 0	19 6	15 6	14 6
46—47 ..	24 0	19 0	15 0	14 0
43—45 ..	23 0	18 0	14 0	13 6
40—42 ..	21 0	16 6	13 0	12 6
37—39 ..	19 0	15 0	12 0	11 6
34—36 ..	17 0	13 6	11 0	10 6
30—33 ..	15 0	12 0	9 6	9 0
26—29 ..	13 0	10 0	8 0	7 6

Unemployment Benefit : Transitional

1948. No. 237
See p 963

1948. No. 313
See p 978

Widow's Benefit and Retirement Pensions

REGULATIONS, DATED 21ST JUNE, 1948, MADE BY THE NATIONAL INSURANCE JOINT AUTHORITY, IN CONJUNCTION WITH THE MINISTRY OF FINANCE, AND BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE, UNDER THE NATIONAL INSURANCE ACT (NORTHERN IRELAND), 1946.

1948. No. 246

The National Insurance Joint Authority, 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 17, 20, 22 and 24 of the National Insurance Act (Northern Ireland), 1946, and the Ministry of Labour and National Insurance, in exercise of the powers conferred by section 40 (5) of that Act, and of all other powers enabling them in that behalf, hereby make the following regulations :—

Citation, commencement and interpretation.

1.—(1) These regulations may be cited as the National Insurance (Widow's Benefit and Retirement Pensions) Regulations (Northern Ireland), 1948, and shall come into operation on the 21st June, 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 officer", "local tribunal" and "the umpire" have the same meanings as in the National Insurance

(Determination of Claims and Questions) Regulations (Northern Ireland), 1948 ;

" the determining authority " means, as the case may require, an insurance officer, a local tribunal or the umpire ;

" disqualification " shall in relation to any period include any period during which, by virtue of the proviso to subsection (2) of section 16 of the Act, widow's benefit is not payable by reason of the widow cohabiting with a man as his wife ;

and other expressions have the same meanings as in the Act.

(3) References in these regulations to any enactment or regulations shall include a reference 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.

Widows' pensions for widows incapable of self-support.

2.—(1) Where a widow in relation to whom neither the conditions for a widow's pension contained in paragraph (*c*) of subsection (1) of section 16 of the Act (which paragraph imposes conditions of entitlement to a widow's pension) nor the alternative conditions contained in subsection (1) of section 17 of the Act are satisfied, would, but for the provisions of this regulation, cease to be entitled to widow's benefit at a time when she is by reason of any infirmity incapable of self-support and is under pensionable age, she shall, for any subsequent period during which she is incapable of self-support by reason of that infirmity, have the same right (if any) to a widow's pension in respect of the marriage in respect of which she was entitled to the widow's benefit as if the said conditions were satisfied.

(2) The following provisions shall apply in the case of a widow who claims a widow's pension by virtue of the preceding paragraph of this regulation :—

(*a*) The widow shall from time to time as required by the Ministry furnish evidence by means of a certificate (in such form as the Ministry may approve) that by reason of an infirmity she is incapable of self-support, and shall at any time, if so directed by the Ministry, submit herself to medical examination by a medical board appointed by it consisting of two or more medical practitioners.

(*b*) For the purpose of the determination by an insurance officer or a local tribunal of any question as to the nature of an infirmity, or whether an infirmity is the same infirmity as that by reason of which the widow was previously incapable of self-support, a certificate given by any such medical board shall be conclusive evidence.

(3) The provisions of the preceding paragraph shall apply in the case of a widow who claims a widow's pension by virtue of paragraph (2) of regulation 4 of the National Insurance (Pensions, Existing Beneficiaries and Other Persons) (Transitional) Regula-

tions (Northern Ireland), 1948, subject to the qualification that where the claim is made before the appointed day she may (instead of furnishing a certificate in accordance with sub-paragraph (*a*) of the preceding paragraph) elect to have her case submitted to a medical board appointed by the Ministry in accordance with the said sub-paragraph (*a*).

Condition as to duration of marriage in relation to widows' pensions in the case of widows who have been married more than once.

3.—(1) Where a widow has been married more than once, then for the purpose of her right to a widow's pension in respect of her last marriage, the condition as to the duration of that marriage contained in paragraph (*c*) of subsection (1) of section 16 of the Act (or, in a case to which, instead of that condition, the alternative condition contained in paragraph (*b*) of subsection (1) or in subsection (4) of section 17 of the Act applies, the said alternative condition) shall be deemed to be satisfied if the sum total of any periods before the relevant time (as defined in the next succeeding paragraph) during which she was either a married woman, or entitled to widow's benefit other than a widow's basic pension, or only not so entitled by reason of disqualification, amounts to not less than ten years :

Provided that if throughout the three years immediately preceding the date of any marriage of the widow, she was neither a married woman nor entitled to such widow's benefit (apart from any disqualification therefor), any period during which she was married, or was so entitled to such benefit before the date of that marriage, shall not be taken into account for the purpose of this regulation.

(2) In the preceding paragraph, the expression " the relevant time " means for the purposes of the said paragraph (*c*) the date of the husband's death, for the purposes of the said paragraph (*b*) the date on which the widow ceases to be entitled to a widowed mother's allowance, and for the purposes of the said subsection (4) the date on which she ceases to be entitled to a widow's pension.

Special conditions in relation to retirement pensions by virtue of the husband's insurance in the case of women marrying after pensionable age.

4.—(1) For the purposes of paragraph (iii) of subsection (1) of section 20 of the Act (which paragraph relates to the prescribing of further conditions for entitlement to a retirement pension by virtue of the insurance of the husband in a case where a woman married the husband after attaining pensionable age), one of the following further conditions must be satisfied in the case of a woman to whom that paragraph is applicable, that is to say :—

(*a*)—(i) that she and her husband have been married for not less than three years ; or

(ii) that, if the husband dies before the expiration of three years from the date of the marriage, she has a family which includes a child who, or children one of whom, either was at the husband's death a child of his family or is a son or daughter of theirs ; or

(*b*) that, immediately before the date of the marriage, she was or, but for any disqualification, would have been entitled to widow's benefit ; or

(*c*) that, immediately before the said date, she was entitled to a retirement pension, or would have been so entitled but for any disqualification, or but for her failure to

satisfy the condition that she had retired from regular employment ; or

(*d*) that, immediately before the said date, she was entitled, otherwise than under the Act, to any pension or allowance payable out of public funds and ceased to be so entitled by reason only of her marriage or remarriage.

(2) In the application of subsection (4) of section 19 of the Act (which subsection relates to increase of rate of retirement pension for contributions paid after pensionable age) to a retirement pension payable to a woman to whom the provisions of the preceding paragraph of this regulation apply, contributions paid by the husband for any contribution weeks terminating before the earliest date on which the woman would have become entitled to a retirement pension by virtue of those provisions, if they had then both retired from regular employment, shall not be taken into account.

Choice of retirement pension by woman.

5. A woman who, but for the provisions of subsection (4) of section 20 of the Act (which subsection relates to the disentitlement of women to more than one retirement pension for the same period) would be entitled for the same period to more than one retirement pension may by notice in writing to the Ministry choose from time to time which pension she shall be entitled to for any week commencing after the date on which such notice is so given :

Provided that for any period in respect of which no such notice is given the woman shall be treated as if she had chosen the pension which, excluding any increase for a child, is payable at the higher or highest rate.

Priority between a man and his wife to increase of retirement pension for a child.

6.—(1) Where but for paragraph (*b*) of subsection (3) of section 22 of the Act (which paragraph prevents a man and his wife both being entitled for the same period to an increase of retirement pension in respect of a child), a man and his wife would both be entitled for the same period, by virtue of his insurance, to an increase of retirement pension, whether in respect of the same child or different children, the following provisions shall apply :—

(*a*) if and so long as the man and his wife are living together, the man shall, and his wife shall not, be entitled to the increase ;

(*b*) if and so long as they are not living together, such one of them shall, and such other of them shall not, be entitled to the increase as the Ministry may in its discretion from time to time determine.

(2) For the purpose of this regulation, a man and his wife shall not be deemed to be living otherwise than together unless they are permanently living in separation either by agreement or under an order of a court, or one of them has deserted the other and the separation which is incident to the desertion has not come to an end.

Partial satisfaction of contribution conditions and reduced rates of benefit.

7.—(1) Where a person would be entitled to widow's benefit or retirement pension but for the fact that the relevant contribution conditions are not satisfied as respects the yearly average of contributions paid or credited, that person shall nevertheless be entitled

to benefit in accordance with the next succeeding paragraph, if the yearly average of contributions paid or credited is not less than thirteen.

(2) Where the full weekly rate of widow's benefit or retirement pension or increase of retirement pension for a wife under Part I of the Second Schedule to the Act is at one of the rates set out at the head of columns (2), (3), (4) and (5) of the schedule to these regulations, then the benefit or pension or increase shall be payable at the reduced rate specified in the appropriate column of the schedule to these regulations which corresponds with the yearly average of contributions paid or credited as shown in column (1) of that schedule.

Given under the Official Seal of the National Insurance Joint Authority this 21st day of June, nineteen hundred and forty-eight.

(L.S.) *C. D. Curtis,*
Secretary,
National Insurance Joint Authority.

Given under the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this 21st day of June, nineteen hundred and forty-eight.

(L.S.) *William Allen,*
Assistant Secretary to the Ministry of Labour and National Insurance for Northern Ireland.

Given under the Official Seal of the Ministry of Finance for Northern Ireland this 21st day of June, nineteen hundred and forty-eight.

(L.S.) *John I. Cook,*
Assistant Secretary to the Ministry of Finance for Northern Ireland.

SCHEDULE Regulation 7 (2).

Showing Reduced Rates of Widow's Benefit and Retirement Pension and of Increase of Retirement Pension in respect of a Wife.

(1)	(2)	(3)	(4)	(5)
	Full weekly rate of benefit applicable under Part I of the Second Schedule to the Act			
	s. d. 36 0	s. d. 33 6	s. d. 26 0	s. d. 16 0
Yearly average of contributions paid or credited	Reduced rate at which benefit is payable			
	s. d.	s. d.	s. d.	s. d.
48—49	34 6	32 6	25 0	15 6
46—47	33 0	31 6	24 0	15 0
43—45	31 6	30 6	23 0	14 0
40—42	29 0	28 6	21 0	13 0
37—39	26 6	26 6	19 0	12 0
34—36	23 6	24 6	17 0	11 0
30—33	21 0	22 6	15 0	9 6
26—29	18 0	20 6	13 0	8 0
22—25	15 0	18 6	11 0	6 6
18—21	12 6	16 6	9 0	5 6
13—17	9 6	14 6	7 0	4 6

Widow's Benefit

1948. No. 246

See p. 788.

NATIONAL INSURANCE (INDUSTRIAL INJURIES)

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Airmen

REGULATIONS, DATED 1ST JULY, 1948, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE UNDER THE NATIONAL INSURANCE (INDUSTRIAL INJURIES) ACT (NORTHERN IRELAND), 1946.

1948. No. 206

The Ministry of Labour and National Insurance, in exercise of the powers conferred by section 76 and section 32 of the National Insurance (Industrial Injuries) 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 (Industrial Injuries) (Airmen) Regulations (Northern Ireland), 1948, and shall come into operation on the 1st July, 1948.

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

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

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

"airman" means a person who is an insured person under the Act by virtue of paragraph 5 of Part I of the First Schedule thereto;