Residence and Persons Abroad Amendment Regulations (Northern Ireland), 1950

REGULATIONS, DATED 21ST AUGUST, 1950, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE, IN CONJUNCTION WITH THE MINISTRY OF FINANCE, UNDER THE NATIONAL INSURANCE ACT (NORTHERN IRELAND), 1946.

1950. No. 155

The Ministry of Labour and National Insurance, in conjunction with the Ministry of Finance, in exercise of the powers conferred by section 1 of the National Insurance Act (Northern Ireland), 1946, 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 (Residence and Persons Abroad) Amendment Regulations (Northern Ireland), 1950, shall be read as one with the National Insurance (Residence and Persons Abroad) Regulations (Northern Ireland), 1948, as amended (hereinafter referred to as " the principal regulations ") and shall come into operation on the 28th August, 1950.

Amendment of the principal regulations

2.—(1) Regulation 2 of the principal regulations shall be amended in accordance with the following provisions of this regulation, and shall accordingly have effect as set out in the schedule hereto.

(2) In sub-paragraph (i) of paragraph (*a*) of the proviso to the said regulation 2, there shall be substituted for the words " paragraph (*b*) " the words " paragraphs (*b*) and (*c*) ".

(3) After paragraph (*b*) of the proviso to the said regulation, there shall be added the following paragraph :—

" (*c*) where a person (not being an existing contributor within the meaning of any regulations made under section 62 of the Act) in relation to whom the provisions of the said sub-paragraph (i) would otherwise apply is not ordinarily resident in the United Kingdom, the foregoing condition shall apply if either —

(i) during a vacation occurring in a course of full time studies which he is pursuing outside the United Kingdom, he is gainfully occupied under a contract of service in Northern Ireland in temporary employment of a nature similar or related to that course of studies ; or

(ii) there exists between him (not being a person in relation to whom the provisions of the last preceding paragraph of this proviso apply) and some other person outside the United Kingdom a relationship comparable with the relationship between an apprentice and his master in Northern Ireland, and he is gainfully occupied under a

contract of service in Northern Ireland in employment (being employment which commenced before he attained the age of twenty-five and of which the duration is not expected to exceed, or does not in fact exceed, three months) which is of a nature similar or related to the employment under the said relationship outside the United Kingdom."

Sealed with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this 21st day of August, 1950, 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 21st day of August, 1950, in the presence of

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

SCHEDULE

REGULATION 2 OF THE PRINCIPAL REGULATIONS AS AMENDED

Condition as to residence in Northern Ireland

2. For the purposes of subsection (1) of section 1 of the Act (which subsection provides for persons who are in Northern Ireland becoming insured under the Act subject to such conditions as may be prescribed as to residence in Northern Ireland), the condition as to residence in Northern Ireland shall be that a person must have been resident in Northern Ireland for a continuous period of twenty-six weeks terminating on or after the appointed day and on or after attaining school leaving age :

Provided that —

(*a*) this condition shall not apply to the following persons as from the respective dates mentioned below :—

(i) (subject to the provisions of paragraphs (*b*) and (*c*) of this proviso) in the case of a person who, but for the foregoing provision, would be an employed person—as from the date on which he becomes such a person ;

(ii) in the case of a person who came to Northern Ireland from a place outside the British Islands and but for the said foregoing provision would be a self-employed person or a non-employed person and who notifies the Ministry that this condition shall not apply to him—as from the date of such notification ;

(iii) in the case of a person over school leaving age and under

the age of eighteen who came to Northern Ireland for the purpose of receiving full time education or of becoming a full time unpaid apprentice not gainfully occupied—as from the date of the commencement of such education or apprenticeship, or, if the education or apprenticeship commenced before, and was still existing on, the appointed day, as from that day ;

(*b*) where an employed person (not being an existing contributor within the meaning of any regulations made under section 62 of the Act) to whom the provisions of sub-paragraph (i) of the preceding paragraph of this proviso would otherwise apply is not ordinarily resident in the United Kingdom and either the employer of that person is not so ordinarily resident or the employer's principal place of business is not in the United Kingdom, the foregoing condition shall apply with the substitution of fifty-two weeks (weeks commencing before the appointed day being disregarded) for twenty-six weeks if, in the country in which the employed person is ordinarily resident, payments by the employer or the employed person in respect of the period of the employment are being made for the purpose of enabling him to qualify for benefits substantially similar to benefits provided under the Act ;

(*c*) where a person (not being an existing contributor within the meaning of any regulations made under section 62 of the Act) in relation to whom the provisions of the said sub-paragraph (i) would otherwise apply is not ordinarily resident in the United Kingdom, the foregoing condition shall apply if either —

(i) during a vacation occurring in a course of full time studies which he is pursuing outside the United Kingdom, he is gainfully occupied under a contract of service in Northern Ireland in temporary employment of a nature similar or related to that course of studies ; or

(ii) there exists between him (not being a person in relation to whom the provisions of the last preceding paragraph of this proviso apply) and some other person outside the United Kingdom a relationship comparable with the relationship between an apprentice and his master in Northern Ireland, and he is gainfully occupied under a contract of service in Northern Ireland in employment (being employment which commenced before he attained the age of twenty-five and of which the duration is not expected to exceed, or does not in fact exceed, three months) which is of a nature similar or related to the employment under the said relationship outside the United Kingdom.