EXPLANATORY NOTE

(This Note is not part of the Scheme but is intended to indicate its general purport.)

This Scheme revokes the original Scheme and its amending Scheme and re-enacts all the provisions of the amended Scheme with further amendments. These have the effect of raising slightly the standards for the acceptance of herds into the Scheme and the standards for accreditation. The conditions for the admission of progeny to the Ministry's Pig Testing Station are somewhat relaxed but the standard to be attained by the progeny of a boar before it becomes "approved" are raised slightly.

The Ministry will also have power to "approve" a boar which has been progeny tested elsewhere than in the Ministry's Pig Testing Station so long as it is satisfied that the standards attained by the progeny of the boar are equivalent to the standards required under the Scheme.

1965. Nos. 8, 9

These Orders in Council have been exempted from printing by regulations (S.R. & O. (N.I.) 1958, No. 195) made under the Statutory Rules Act (Northern Ireland) 1958. A summary of each is given in the List of Statutory Rules and Orders of a Local Character under the heading BOUNDARY SURVEY.

1965. No. 10 **[C]**

NATIONAL INSURANCE

Increase of Widow's Basic Pension and Miscellaneous Provisions

REGULATIONS, DATED 22ND JANUARY, 1965, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES, IN CONJUNCTION WITH THE MINISTRY OF FINANCE, UNDER THE NATIONAL INSURANCE ACT (NORTHERN IRELAND) 1946.

The Ministry of Health and Social Services, in conjunction with the Ministry of Finance, in exercise of powers conferred by section 62 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, commencement and interpretation

1.—(1) These regulations, which may be cited as the National Insurance (Increase of Widow's Basic Pension and Miscellaneous Provisions) Regulations (Northern Ireland) 1965, shall be read as one with the National Insurance (Pensions, Existing Beneficiaries and Other Persons) (Transitional) Regulations

(a) 1946. c. 23.

(Northern Ireland) 1948(**a**) and the National Insurance (Pensions, Existing Contributors) (Transitional) Regulations (Northern Ireland) 1948(**b**), in so far as they relate to matters respectively dealt with by those regulations, and shall come into operation on 23rd January, 1965.

(2) In these regulations—

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

"the Existing Beneficiaries Regulations" means the National Insurance (Pensions, Existing Beneficiaries and Other Persons) (Transitional) Regulations (Northern Ireland) 1948;

"the Existing Contributors Regulations" means the National Insurance (Pensions, Existing Contributors) (Transitional) Regulations (Northern Ireland) 1948.

Higher rates of widow's basic pensions and contributory old age pensions payable to widows by virtue of husband's insurance

2. The following provisions of these regulations shall have effect for the purpose of increasing as from 29th March, 1965 the rate of a widow's basic pension or a contributory old age pension by virtue of her husband's insurance payable to a widow by virtue of the Existing Beneficiaries Regulations or of the Existing Contributors Regulations and the said regulations shall accordingly be amended as from that date as provided in regulations 3 and 4.

Amendment of Existing Beneficiaries Regulations

3.—(1) In regulation 3(**c**) of the Existing Beneficiaries Regulations (description of additional benefits to be included in benefit under the Act) there shall be added the following paragraph:

"(3) A widow's basic pension and a contributory old age pension payable to a widow by virtue of her husband's insurance shall, for the purposes of the National Insurance (Hospital In-Patients) Regulations (Northern Ireland) 1961(**d**), be treated as widow's pension.".

(2) For regulation 9(1) of the said regulations (rate of widow's basic pension or contributory old age pension) there shall be substituted the paragraph set out in Schedule A Part I of these regulations and there shall be inserted after the said regulation 9(1) the paragraph set out in Part II of that Schedule.

(3) Schedule 1 to the Existing Beneficiaries Regulations (as substituted by the National Insurance (Widow's Benefit and Miscellaneous Provisions) Regulations (Northern Ireland) 1964(**e**)) shall be amended by substituting for column (1) the column set out in Schedule B column (1) of these regulations and by inserting therein as column (3) the column set out as column (2) of the said Schedule B.

(4) In regulation 9(2) of the Existing Beneficiaries Regulations (rate of widow's basic pension payable under regulation 7(2)) for "ten shillings" there shall be substituted "thirty shillings".

(**a**) S.R. & O. (N.I.) 1948, No. 39. (**b**) S.R. & O. (N.I.) 1948, No. 129.
(**c**) See Part I of Sch. to S.R. & O. (N.I.) 1957, No. 180.
(**d**) S.R. & O (N.I.) 1961, No. 179 as amended by S.R. & O. (N.I.) 1963, No. 36 and 1964, No. 39.
(**e**) See Sch. C to S.R. & O. (N.I.) 1964, No. 39 and reg. 4(3) of S.R. & O. (N.I.) 1964, No. 211.

(5) In regulation 23 (preservation of rights of lapsed contributors) there shall be inserted at the beginning thereof the words "Except as provided under regulation 9(1A)".

Amendment of Existing Contributors Regulations

4.—(1) In regulation 6(2)(**a**) of the Existing Contributors Regulations (rate of pension for certain widows of existing contributors) for "ten shillings" there shall be substituted "thirty shillings".

(2) For Schedule 2 to the Existing Contributors Regulations there shall be substituted the Schedule set out in Schedule C.

Persons not resident in Northern Ireland

5.—(1) Notwithstanding the provisions of these or any other regulations, a woman who, immediately before 29th March, 1965, is a widow and is not resident in Northern Ireland shall be disqualified for receiving additional benefit by virtue of these regulations by way of widow's basic pension or contributory old age pension unless and until she becomes resident in Northern Ireland:

Provided that the disqualification for the receipt of such benefit at the higher rate shall not apply to a widow for any period during which she is in Northern Ireland.

(2) As from 29th March, 1965, regulation 17 of the National Insurance (General Transitional) Regulations (Northern Ireland) 1948(**b**) and regulation 6(4) of the Existing Contributors Regulations(**c**) (both of which provisions relate to child's allowance for certain children outside Northern Ireland) shall cease to have effect.

Transitional provisions as to awards and claims

6.—(1) Where an award of benefit of any description to which these regulations apply has been made before 29th March, 1965, then subject to the following provisions of this regulation the benefit shall without any claim being made therefor become payable (except as respects any period falling before that date) at the higher weekly rate prescribed by these regulations and the award shall have effect accordingly.

(2) Where such an award as is mentioned in paragraph (1) has been made, then if the period to which the award relates has not ended before 29th March, 1965 and a question arises as to—

(*a*) the weekly rate at which the benefit is payable by virtue of these regulations; or

(*b*) whether the conditions for the receipt of the benefit at the higher weekly rate are satisfied;

the benefit shall be or continue to be payable at the weekly rate specified in the award until the said question shall have been determined in accordance with the provisions of the Act.

(3) Where any such award is made after the date on which these regulations come into operation but before 29th March, 1965, the award may provide for the benefit to be paid as from 29th March, 1965 at the higher weekly rate.

(**a**) See Part I of Sch. to S.R. & O. (N.I.) 1957, No. 181.
(**b**) S.R. & O. (N.I.) 1948, No. 239.
(**c**) See Part I of Sch. to S.R. & O. (N.I.) 1957, No. 181.

(4) Notwithstanding the provisions of regulation 12 of the National Insurance (Claims and Payments) Regulations (Northern Ireland) 1961(**a**) (extinguishment of right to sums payable by way of benefit) the right to any sum which, by virtue of paragraph (1) of this regulation, becomes payable under the award by way of additional benefit shall, as respects any period beginning with 29th March, 1965 and ending with the date of expiration of the book of serial orders (as defined in regulation 1(2) of the said regulations) issued to the beneficiary for the payment of benefit to which the award relates, be extinguished if payment thereof is not obtained within the period of eighteen months (or such longer period as the Ministry may determine in the circumstances of any particular case) from 29th March, 1965.

(5) Subject to the foregoing provisions of this regulation, regulation 19 of the Existing Beneficiaries Regulations (accrual of benefit without claim) shall not operate to make the higher rate of benefit prescribed by these regulations begin to accrue without a claim having been made therefor.

Day for payment of pension where Industrial Injuries pension payable

7. In the case of a widow who is entitled to a widow's basic pension or a contributory old age pension at a rate higher than the rate at which she is entitled to widow's pension under section 19 of the National Insurance (Industrial Injuries) Act (Northern Ireland) 1946(**b**) weekly sums on account of the widow's basic pension or the contributory old age pension shall, notwithstanding the provisions of regulation 10(4) of the National Insurance (Claims and Payments) Regulations (Northern Ireland) 1961, be payable on Wednesdays and in her case regulation 10(7) of those regulations shall apply to the contributory old age pension as it applies to widow's benefit.

Sealed with the Official Seal of the Ministry of Health and Social Services for Northern Ireland this 22nd day of January, 1965.

(L.S.) *H. A. Lowry,*
Assistant Secretary.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 22nd day of January, 1965.

(L.S.) *W. W. Arthur,*
Assistant Secretary.

(a) S.R. & O. (N.I.) 1961, No. 221. (b) 1946. c. 21.

SCHEDULE A Regulation 3(2)

Amendment of Regulation 9 of the Existing Beneficiaries Regulations

PART I

9.—(1) A contributory old age pension (other than a contributory old age pension payable to a widow by virtue of her husband's insurance) to which any person becomes entitled on or after the appointed day by virtue of any of the foregoing provisions of these regulations shall be at the same rate as the pension to which that person was or, but for any disqualification, would have been entitled immediately before that day.

PART II

9.—(1A) A widow's basic pension or a contributory old age pension payable by virtue of her husband's insurance to which a widow becomes entitled under any of the foregoing provisions of these regulations shall, where the rate of pension to which she was or, but for any disqualification, would have been entitled immediately before the appointed day (excluding in the case of a widow's pension any additional allowances) was—

(*a*) ten shillings, be increased to thirty shillings; and

(*b*) at one of the amounts specified in Schedule 1 column (1), be increased to the corresponding amount specified in column (3) of that Schedule;

and, where a widow becomes entitled to any such pension by virtue of regulation 23, that pension shall be increased as if it were a pension within sub-paragraph (*b*).

SCHEDULE B Regulation 3(3)

Columns to be substituted and inserted in Schedule 1 to the Existing Beneficiaries Regulations

(1) Rate of widow's basic pension or contributory old age pension by virtue of husband's insurance and rate (apart from additional allowance or increase) of widow's pension immediately before the appointed day	(2) Corresponding increased rate of widow's basic pension and contributory old age pension by virtue of husband's insurance
s. d.	s. d.
9 0	27 0
8 0	24 0
7 0	21 0
6 0	18 0
5 0	15 0
4 0	12 0
3 0	9 0
2 0	6 0

SCHEDULE C Regulation 4(2)

Schedule substituted for Schedule 2 to the Existing Contributors Regulations

SCHEDULE 2 Regulation 6(3)

showing reduced rates of widow's basic pension and contributory old age pension

Yearly average of contributions paid or credited (1)	Reduced rate at which pension is payable (2)
	s. d.
48 and under 50	28 6
46 and under 48	27 0
43 and under 46	25 6
40 and under 43	24 0
37 and under 40	22 6
34 and under 37	19 6
30 and under 34	18 0
26 and under 30	15 0
22 and under 26	12 0
18 and under 22	10 6
13 and under 18	7 6

EXPLANATORY NOTE

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

These Regulations, by amending the National Insurance (Pensions, Existing Beneficiaries and Other Persons) (Transitional) Regulations (Northern Ireland) 1948 and the National Insurance (Pensions, Existing Contributors) (Transitional) Regulations (Northern Ireland) 1948, increase the rates of widow's basic pension and contributory old age pension payable to certain widows under the National Insurance Act (Northern Ireland) 1946 and make consequential provisions of a minor character.