EXPLANATORY NOTE

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

These Regulations amend the National Insurance (Residence and Persons Abroad) Regulations, 1948, by varying the time limits within which certain persons may pay contributions which they are entitled but not liable to pay in respect of periods abroad, and by revoking the provisions under which a person who was absent from Great Britain on the 5th July, 1948, might pay contributions in respect of the period spent abroad if he returned to Great Britain within three years of that date or within such longer period as the Minister might determine.

The preliminary draft of these Regulations was submitted to the National Insurance Advisory Committee in accordance with section 77 of the National Insurance Act, 1946, and their report thereon dated 12th December, 1956, is contained in House of Commons Paper No. 29 (Session 1956-57) published by Her Majesty's Stationery Office.

NATIONAL INSURANCE (INDUSTRIAL INJURIES)

ADMINISTRATION

1956 No. 1072 (C. 7)

The Family Allowances and National Insurance Act, 1956 (Commencement) Order, 1956

For the text of this Order, *see* p. 924 above.

BENEFIT

1956 No. 1188

The National Insurance (Industrial Injuries) (Widow's Benefit and Miscellaneous Provisions) Regulations, 1956

Made - - - -	31*st July*, 1956
Laid before Parliament	3*rd August*, 1956
Coming into Operation	4*th August*, 1956

The Minister of Pensions and National Insurance, in exercise of powers conferred by section 19 (3) (*d*) of the National Insurance (Industrial Injuries) Act, 1946(**a**), as amended by section 2 of the Family Allowances and National Insurance Act, 1956(**b**), and by section 9 of the Family Allowances and National Insurance Act, 1952(**c**), as applied by section 6 of the said Act of

(**a**) 9 & 10 Geo. 6. c. 62. (**b**) 4 & 5 Eliz. 2. c. 50. (**c**) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 29.

1956 and the Industrial Injuries Joint Authority, in exercise of powers conferred by section 82 of the said Act of 1946, as amended by section 6 of the National Insurance (Industrial Injuries) Act, 1953(a), 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 (Industrial Injuries) (Widow's Benefit and Miscellaneous Provisions) Regulations, 1956, and shall come into operation on the 4th August, 1956.

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

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

"the Act of 1952" means the Family Allowances and National Insurance Act, 1952 ;

"the Act of 1956" means the Family Allowances and National Insurance Act, 1956 ;

"the Benefit Regulations" means the National Insurance (Industrial Injuries) (Benefit) Regulations, 1948(b) ;

and other expressions have the same meanings as in the principal Act, as amended by any other enactments, including the Act of 1956.

(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, 1889(c) applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

Condition of entitlement to widow's death benefit in certain cases

2. As from the 21st August, 1956, paragraph (*d*) of subsection (3) of section 19 of the principal Act, as amended by section 2 of the Act of 1956, (which subsection provides a higher weekly rate of death benefit for widows in certain specified cases and a lower rate in other cases) shall, in its application to awards of death benefit for widows under the principal Act, have effect subject—

(*a*) to the exception that a widow shall not be entitled to death benefit at the higher weekly rate by virtue of the said paragraph (*d*) in respect of a child who is for the time being not included in her family, unless that child cannot, by reason of the provisions of subsection (3) of section 24 of the Family Allowances Act, 1945(d), (which subsection makes it a condition of a child's being treated as a member of any family that the child is in Great Britain), be treated as a member of any family ; and

(*b*) to the condition that no payment of benefit shall be made thereunder in respect of a child who immediately before the 5th July, 1956 (being the date of the passing of the Act of 1956), could not be treated as a member of any family by reason of the provisions of the said subsection (3), unless a claim for such benefit has been made on or after the said 5th July, in accordance with the requirements of the principal Act.

(a) 1 & 2 Eliz. 2. c. 43. (b) S.I. 1948/1372 (Rev. XVI, p. 441: 1948 I, p. 2918).
(c) 52 & 53 Vict. c. 63. (d) 8 & 9 Geo. 6. c. 41.

Provisions as to claims

3. Any case in which, under the provisions of subsection (5) of section 6 of the Act of 1956 (which section relates to the appointed day and transitional provisions) or of paragraph (*b*) of regulation 2 of these regulations, no payment of benefit can be made under the principal Act unless a claim therefor has been made after the passing of the Act of 1956, shall be excepted from the operation of subsection (1) of section 9 of the Act of 1952 (which relates to the effect of certain awards under the principal Act) by virtue of subsection (6) of the said section 6.

Amendment of regulation 33A *of the Benefit Regulations*

4. As from the 28th August, 1956, in the proviso to paragraph (2) of regulation 33A of the Benefit Regulations, as amended(**a**), (which paragraph deals with payment by way of unemployability supplement to certain former constables and firemen), for the words " at a weekly rate of seven shillings and sixpence " there shall be substituted the words " at a weekly rate of twenty shillings ".

Given under the official seal of the Minister of Pensions and National Insurance this 31st day of July, nineteen hundred and fifty-six.

(L.S.)

John Boyd-Carpenter,
Minister of Pensions and National Insurance.

Given under the official seal of the Industrial Injuries Joint Authority this 31st day of July, nineteen hundred and fifty-six.

(L.S.)

T. C. Stephens,
Secretary,
Industrial Injuries Joint Authority.

EXPLANATORY NOTE

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

These Regulations specify the conditions for entitlement to death benefit for widows in certain cases under the provisions made by the Family Allowances and National Insurance Act, 1956, and the circumstances in which claims for benefit payable by virtue of that Act are required. They also provide for an increase of the weekly rate of unemployability supplement under section 82 of the National Insurance (Industrial Injuries) Act, 1946, in the case of certain former policemen and firemen.

(**a**) *See* regulation 5, S.I. 1955/48 (1955 I, p. 1668).