EXPLANATORY NOTE

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

These Regulations amend the National Insurance (Claims and Payments) Regulations, 1948 by providing that, in cases arising after the 31st December, 1957, but subject to certain exceptions, retirement pensions shall be payable on Mondays.

Provision is also made to place a limit upon the time in which home confinement grant may be paid.

The Regulations also prescribe the requirements as to the notice of retirement for the purposes of section 20 (2) (*b*) of the National Insurance Act, 1946 and prescribe for the purposes of section 20 (2) (*b*) (i) of that Act the period before which a person shall not be treated as having retired from regular employment. These provisions are consequent upon the amendment of the said section 20 (2) (*b*) of the National Insurance Act, 1946 by section 2 (4) of the National Insurance Act, 1957.

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 the 23rd July, 1957 is contained in House of Commons Paper No. 247 (Session 1956–57) published by Her Majesty's Stationery Office.

1957 No. 1340

The National Insurance (Determination of Claims and Questions) Amendment Regulations, 1957

Made - - - -	30*th July*, 1957
Laid before Parliament	2*nd August*, 1957
Coming into Operation	5*th August*, 1957

The Minister of Pensions and National Insurance, in exercise of powers conferred by section 43 of the National Insurance Act, 1946(a) and of all other powers enabling him in that behalf, hereby makes the following regulations :—

Citation, interpretation and commencement

1. These regulations, which may be cited as the National Insurance (Determination of Claims and Questions) Amendment Regulations, 1957, shall be read as one with the National Insurance (Determination of Claims and Questions) Regulations, 1948(b), as amended(c) (hereinafter referred to as

(a) 9 & 10 Geo. 6. c. 67. (b) S.I. 1948/1144 (Rev. XVI, p. 331 : 1948 I, p. 2720).
(c) S.I. 1951/1208, 1952/1310, 1955/1788 (1951 I, p. 1455 ; 1952 II, p. 2145; 1955 I, p. 1583); *and see* reg. 13 of, and Third Schedule to, National Insurance (Death Grant) Regulations, 1949 (S.I. 1949/1204 (1949 I, p. 2708)), reg. 21 of, and Second Schedule to, National Insurance (Maternity Benefit and Miscellaneous Provisions) Regulations, 1954 (S.I. 1954/189 (1954 I, p. 1387)).

" the principal regulations ") and shall come into operation on the 5th August, 1957.

Amendment of Part IV of the principal regulations

2. Where a husband and his wife are both entitled to retirement pensions by virtue of the husband's insurance and the husband has given notice of election for the purpose of regulations made under section 1 of the National Insurance Act, 1957(a), Part IV of the principal regulations (which Part relates to the determination of claims and questions by insurance officers, local tribunals and the Commissioner), in its application to the determination of the question whether the wife has consented to such election or whether her consent has been unreasonably withheld, shall be modified as follows:—

(*a*) the determination of any such question shall have effect in relation to the entitlement to such pensions of both the husband and wife ; and

(*b*) in respect of such determination both the husband and the wife shall be treated as claimants and shall have all the rights and powers of claimants for the purposes of the said Part IV.

Dated this 30th day of July, 1957.

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

EXPLANATORY NOTE

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

These Regulations amend Part IV of the National Insurance (Determination of Claims and Questions) Regulations, 1948. They provide that where a husband and wife are entitled to retirement pensions by virtue of the husband's insurance and he elects to be treated as not having retired, the determination of the question whether the wife has consented to the election or whether her consent has been unreasonably withheld shall have effect in relation to the award of both pensions ; and in respect thereof both husband and wife shall be treated as claimants and have the same rights as such.

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 the 17th July, 1957, is contained in the House of Commons Paper No. 246 (Session 1956–57) published by Her Majesty's Stationery Office.

(a) 5 & 6 Eliz. 2. c. 26.