STATUTORY INSTRUMENTS

1963 No. 394

NATIONAL INSURANCE

The National Insurance (Increase of Benefit and Miscellaneous Provisions) Regulations 1963

Made - - - -	1*st March* 1963
Laid before Parliament	4*th March* 1963
Coming into Operation	5*th March* 1963

The National Insurance Joint Authority, in exercise of powers conferred by sections 23, 25 and 30 of the National Insurance Act 1946(a), and the Minister of Pensions and National Insurance, in exercise of powers conferred by sections 29, 34, 65 and 71 of that Act and by sections 1 and 9 (1) (*b*) of the National Insurance Act 1957(b) and Schedule 4 of the National Insurance Act 1963(c), in each case in consequence of the last-mentioned Act and in conjunction with the Treasury so far as relates to matters with regard to which the Treasury have so directed, and in exercise of all other powers enabling them in that behalf, hereby make the following regulations:—

PART I

GENERAL

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the National Insurance (Increase of Benefit and Miscellaneous Provisions) Regulations 1963, and shall come into operation on 5th March 1963.

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

" the principal Act " means the National Insurance Act 1946;

" the Act of 1963 " means the National Insurance Act 1963;

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

" the Existing Contributors Regulations " means the National Insurance (Pensions, Existing Contributors) (Transitional) Regulations 1948(e);

" the Hospital In-Patients Regulations " means the National Insurance (Hospital In-Patients) Regulations 1949(f);

" the Maternity Benefit Regulations " means the National Insurance (Maternity Benefit and Miscellaneous Provisions) Regulations 1954(g);

" the New Entrants Regulations " means the National Insurance (New Entrants Transitional) Regulations 1949(h);

" the Overlapping Benefits Regulations " means the National Insurance (Overlapping Benefits) Regulations 1948(i);

(a) 9 & 10 Geo. 6. c. 67. (b) 5 & 6 Eliz. 2. c. 26. (c) 1963 c. 7.
(d) S.I. 1948/55 (Rev. XVI, p. 36: 1948 I, p. 2822).
(e) S.I. 1948/612 (Rev. XVI, p. 18: 1948 I, p. 2834).
(f) S.I. 1949/1461 (1949 I, p. 2718). (g) S.I. 1954/189 (1954 I, p. 1387).
(h) S.I. 1949/352 (1949 I, p. 2737).
(i) S.I. 1948/2711 (Rev. XVI, p. 196: 1948 I, p. 2657).

" the Widow's Benefit and Retirement Pensions Regulations " means the National Insurance (Widow's Benefit and Retirement Pensions) Regulations 1948(a);

" the 1960 Increase Regulations " means the National Insurance (Increase of Benefit and Miscellaneous Provisions) Regulations 1960(b);

" personal benefit " means benefit payable to a person otherwise than in respect of another person who is a child or an adult dependant;

" dependency benefit " means benefit payable to a person in respect of another person who is a child or an adult dependant;

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

(3) References in these regulations to any enactment or regulation shall, except in so far as the context otherwise requires, be construed as references to that enactment or regulation as amended or extended by or under any other enactment, order or regulation.

(4) The rules for the construction of Acts of Parliament contained in the Interpretation Act 1889(c) shall apply for the purpose of the interpretation of these regulations as they apply for the purpose of the interpretation of an Act of Parliament.

PART II

HIGHER RATES AND AMOUNT OF BENEFIT PAYABLE UNDER REGULATIONS

2. The following provisions of this Part of these regulations shall have effect subject to the provisions of regulation 18 and regulation 24 (1) of these regulations.

Higher rates of unemployment and sickness benefit payable at reduced rates owing to partial satisfaction of contribution conditions

3. As from 7th March 1963, for Schedule 2 of the National Insurance (Unemployment and Sickness Benefit) Regulations 1948(d) (which is set out in Schedule B of the 1960 Increase Regulations and shows the reduced weekly rates of unemployment and sickness benefit and of an increase of any such benefit in respect of an adult dependant payable where the relevant contribution conditions are partially satisfied), there shall be substituted the Schedule set out in Schedule A of these regulations.

Higher amount of maternity grant

4.—(1) In any case where—

(*a*) a woman has become entitled before 11th March 1963 (hereafter in this regulation called " the appropriate date ") to a maternity grant by virtue of the provisions of regulation 3 of the Maternity Benefit Regulations (which confer title to a maternity grant in respect of expectation of confinement) whether or not payment thereof shall then have been made;

(*b*) the confinement in expectation of which she has become so entitled has not occurred before the appropriate date; and

(*c*) her pregnancy has not otherwise been terminated before the appropriate date;

the amount of the grant shall be increased to sixteen pounds if, but only if, before the expiration of three months (or such longer period, not

(a) S.I. 1948/1261 (Rev. XVI, p. 207: 1948 I, p. 2704).
(b) S.I. 1960/2422 (1960 II, p. 2169). (c) 52 & 53 Vict. c. 63.
(d) S.I. 1948/1277 (Rev. XVI, p. 212: 1948 I, p. 2676).

exceeding six months, as the determining authority may for good cause allow) beginning with the appropriate date or the date of the confinement (whichever is the later), the beneficiary furnishes, by such means as the determining authority shall accept as sufficient, evidence either that she has been confined or that she is pregnant and that it is to be expected that she will be confined.

(2) In this regulation, the expression " the determining authority " means, as the case may require, an insurance officer, a local tribunal, the National Insurance Commissioner, a deputy Commissioner or a tribunal presided over by the National Insurance Commissioner or a deputy Commissioner, appointed or constituted in accordance with the National Insurance (Determination of Claims and Questions) Regulations 1948(a).

Higher rate of a maternity allowance payable at a reduced rate owing to partial satisfaction of contribution conditions

5. As from 11th March 1963, for the table contained in regulation 13 of the Maternity Benefit Regulations (which is set out in Schedule C of the 1960 Increase Regulations and shows the reduced weekly rates of a maternity allowance and of an increase of such an allowance in respect of an adult dependant payable where the relevant contribution conditions are partially satisfied), there shall be substituted the table set out in Schedule B of these regulations.

Higher rates of widow's benefit and retirement pensions payable at reduced rates owing to partial satisfaction of contribution conditions

6. As from 27th May 1963, for the Schedule of the Widow's Benefit and Retirement Pensions Regulations (which is set out in Schedule D of the 1960 Increase Regulations and shows the reduced weekly rates of widow's benefit, of a retirement pension and of an increase of a retirement pension in respect of an adult dependant, payable where the relevant contribution conditions are partially satisfied), there shall be substituted the Schedule set out in Schedule C of these regulations.

Higher rates of retirement pensions for certain existing beneficiaries

7. As from 27th May 1963, for Schedule 3 of the Existing Beneficiaries Regulations (which is set out in Schedule E of the 1960 Increase Regulations and shows the weekly rates of retirement pensions payable under paragraph (*b*) of the proviso to regulation 9 (3) of the first mentioned regulations), there shall be substituted the Schedule set out in Schedule D of these regulations.

Higher rates of increases of retirement pensions in respect of adult dependants and of retirement pensions for wives of certain existing beneficiaries

8. As from 27th May 1963, for Schedule 2 of the Existing Beneficiaries Regulations (which is set out in Schedule F of the 1960 Increase Regulations and shows the rates of benefit payable under paragraph (1) of regulation 10 of the first mentioned regulations), there shall be substituted the Schedule set out in Schedule E of these regulations.

Higher rates of benefit for existing beneficiaries who are widows

9. As from 27th May 1963, for Schedule 1 of the Existing Beneficiaries Regulations (which is set out in Schedule G of the 1960 Increase Regulations and shows reduced rates of certain descriptions of widow's benefit and retirement pensions payable to existing beneficiaries who are widows and

(a) S.I. 1948/1144 (Rev. XVI, p. 331: 1948 I, p. 2720).

the rates below which benefit is not to be reduced on account of the beneficiary's earnings), there shall be substituted the Schedule set out in Schedule F of these regulations.

Higher rates of benefit for certain existing contributors

10. As from 27th May 1963, for Schedule 5, Part III, of the Existing Contributors Regulations (which Schedule is set out in Schedule H of the 1960 Increase Regulations and relates to the reduced rates of retirement pensions for certain existing contributors who attained pensionable age during the five years next following the appointed day and their wives and of increases of such retirement pensions in respect of adult dependants), there shall be substituted the provisions set out in Schedule G of these regulations.

Application of earnings rule in cases of widows, being existing beneficiaries or widows of existing contributors

11.—(1) As from 27th May 1963, the modifications set out respectively in regulation 11 (1) of the Existing Beneficiaries Regulations, as amended(a), and regulation 12 of the Existing Contributors Regulations, as amended (a), of the provisions of section 17 (3) of the principal Act in the application of those regulations to any widowed mother's allowance shall cease to have effect, and there shall be substituted—

(*a*) for the said regulation 11 (1), the following:—

"11.—(1) In the application of the provisions of section 17 (3) of the Act to any widow's pension or of section 21 (3) of the Act to any retirement pension for a widow by virtue of her husband's insurance, to which in either case a person is entitled by virtue of any of the foregoing provisions of these regulations, the weekly rate thereof shall not be reduced—

(*a*) in the case of a widow's pension or such a retirement pension at the rate of sixty-seven shillings and sixpence, to less than ten shillings; or

(*b*) in the case of a widow's pension or such a retirement pension at one of the rates specified in Schedule 1 column (3), to less than the rate set opposite thereto in column (4)."

(*b*) for the said regulation 12, the following:—

"*Modification of provisions of the Act relating to reduction in rate of benefit on account of earnings*

12. In the application of the provisions of section 17 (3) of the Act to any widow's pension or of section 21 (3) of the Act to any retirement pension for a widow by virtue of her husband's insurance, to which in either case a person is entitled by virtue of any of the foregoing provisions of these regulations, the weekly rate thereof shall not be reduced if the marriage in respect of which the benefit is payable took place before the appointed day—

(*a*) in the case of a widow's pension or such a retirement pension at the rate of sixty-seven shillings and sixpence, to less than ten shillings; or

(*b*) in the case of a widow's pension or such a retirement pension at one of the rates specified in Schedule 4 column (1) of these regulations, to less than the rate set opposite thereto in column (2)."

(a) S.I. 1956/1199, 1960/2422 (1956 I, p. 1625; 1960 II, p. 2169).

(*c*) for Schedule 4 of the Existing Contributors Regulations (which is set out in Schedule I of the 1960 Increase Regulations), the Schedule set out in Schedule H of these regulations.

(2) As from 27th May 1963—

(*a*) in the Existing Beneficiaries Regulations, in regulation 8, for the words "fourth column" there shall be substituted the words "third column" and in regulation 11 (3) for the words "sub-paragraphs (*c*) and (*d*)" there shall be substituted the words "sub-paragraphs (*a*) and (*b*)"; and

(*b*) in regulation 12A of the Existing Contributors Regulations(a) for the words "paragraphs (*c*) and (*d*)" there shall be substituted the words "paragraphs (*a*) and (*b*)".

Miscellaneous amendments relating to higher rates of benefit for certain beneficiaries

12. As from the date specified in Schedule I column (1) of these regulations, there shall in the regulations mentioned in column (2) thereof be made the amendments specified in columns (3) and (4) thereof.

PART III

MISCELLANEOUS PROVISIONS

Modification of requirement applying to existing beneficiaries entitled to a widowed mother's allowance

13.—(1) As from 27th May 1963, regulation 4 (1), as amended(b), of the Existing Beneficiaries Regulations (which provides for entitling an existing beneficiary who is a widow to a widowed mother's allowance in certain circumstances) shall be amended in accordance with the provisions of the next following paragraph and shall accordingly have effect as set out in Schedule J Part I of these regulations.

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(2) In sub-paragraph (*a*) of the said regulation 4 (1), for the words "the rate of twenty-five shillings a week or more", there shall be substituted the words "a weekly rate not less than the difference between the two weekly rates of widowed mother's allowance as set out in the second column of Part I of the Second Schedule of the Act."

Conditions relating to payment of additional benefit under awards made before the appointed or prescribed day

14. Where an award of any benefit under the principal Act has been made before the day appointed or prescribed for the payment of benefit of the description to which the award relates at a higher weekly rate by virtue of the Act of 1963 or of these regulations Schedule 4, paragraph 3 (1) of that Act (which relates to the effect of any such award) shall, if the period to which the award relates has not ended before that day, have effect subject to the following conditions:—

(1) If the award has not been made in accordance with the provisions of sub-paragraph (2) of that paragraph (which sub-paragraph authorises the making of such an award providing for the payment of the benefit at the higher weekly rate as from that day), and a question arises as to—

(*a*) the weekly rate at which the benefit is payable by virtue of the Act of 1963 or of Part II of these regulations, or

(a) *Inserted by* S.I. 1957/1332 (1957 I, p. 1706).
(b) *See* S.I. 1956/1199, 1960/2422 (1956 I, p. 1625; 1960 II, p. 2169).

(*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 principal Act.

(2) Notwithstanding the provisions of regulation 12, as amended(a), of the National Insurance (Claims and Payments) Regulations 1948(b) (which relates to the extinguishment of the right to sums payable by way of benefit), the right to any sum which, by virtue of the said paragraph 3 (1), becomes payable under the award by way of additional benefit shall, as respects the period beginning with that day and ending—

(*a*) in a case where a book of serial orders (as defined in regulation 1 (2), as amended(c), of the said regulations) for the payment of benefit to which the award relates has been issued to the beneficiary and is current on that day, with the date of the expiration of that book; or

(*b*) in any other case, with the expiration of twelve months from that day,

be extinguished if payment thereof is not obtained within the period of eighteen months (or such longer period as the Minister may determine in the circumstances of any particular case) from that day.

Priority to increases of retirement pensions for children

15.—(1) As from 27th May 1963, regulation 6 (1), as amended(d), of the Widow's Benefit and Retirement Pensions Regulations (which relates to priority between a man and his wife to increase of retirement pension for a child) shall be amended in accordance with the provisions of the next following paragraph and shall accordingly have effect as set out in Schedule J Part II of these regulations.

(2) In the said paragraph (1), for the words "of seventeen shillings and sixpence" (wherever they occur), there shall be substituted the words "specified in Schedule 2 Part I column 3 paragraph 7 (*a*) of the Act."

Division of widowed mother's allowance into dependency benefit and personal benefit

16.—(1) As from 27th May 1963, regulation 1 (4) as amended(d), of the Overlapping Benefits Regulations and regulation 7, as amended(d), of the Hospital In-Patients Regulations (which provisions relate to the division of widowed mother's allowance into dependency benefit and personal benefit) shall be amended in accordance with the provisions of the next following paragraph and shall accordingly have effect as set out in Parts III and IV respectively of Schedule J of these regulations. 1964/297

(2) In sub-paragraph (*a*) of the said regulation 1 (4) and in paragraph (*a*) of the said regulation 7, for the words "the weekly rate of twenty-five shillings", there shall be substituted the words "a weekly rate equal to the difference between the two weekly rates of widowed mother's allowance as set out in the second column of Part I of the Second Schedule of the Act", and in sub-paragraph (*b*) of the said regulation 1 (4) and in paragraph

(a) *See* S.I. 1952/1207, 1957/578, 1961/557 (1952 II, p. 2122; 1957 I, p. 1516; 1961 I, p. 1228).
(b) S.I. 1948/1041 (Rev. XVI, p. 313: 1948 I, p. 2709).
(c) The only relevant amendment was made by S.I. 1952/1207 (1952 II, p. 2122).
(d) *See* S.I. 1951/1232, 1960/2422 (1951 I, p. 1457; 1960 II, p. 2169).

(*b*) of the said regulation 7, for the words "twenty-five shillings a week", there shall be substituted the words "a weekly rate equal to the said difference".

Adjustment of dependency benefit where other dependency benefit is payable

17.—(1) As from 27th May 1963, regulation 5 (1C), as amended(a), of the Overlapping Benefits Regulations (which specifies the relevant dependency benefits for the purposes of adjustment of dependency benefit) shall be amended in accordance with the provisions of the next following paragraph, and shall accordingly have effect as set out in Schedule J Part V of these regulations.

(2) In sub-paragraph (*c*) of the said regulation 5 (1C), for the words "rate of seventeen shillings and sixpence a week", there shall be substituted the words "weekly rate in respect of an only, elder or eldest child".

Persons not resident in Great Britain

18.—(1) Notwithstanding the provisions of these or any other regulations, but subject to the provisions of this regulation, if a person is not resident in Great Britain immediately before 27th May 1963, then unless and until that person becomes resident in Great Britain the following provisions shall apply:—

(*a*) if, immediately before the said 27th May, that person is entitled to a retirement pension, he shall be disqualified for receiving any additional retirement pension;

(*b*) if that person is a married woman who, immediately before the said 27th May, is not entitled as is mentioned in the foregoing sub-paragraph and whose husband is then so entitled and not resident in Great Britain, she shall be disqualified for receiving any additional widow's benefit or additional retirement pension by virtue of her husband's insurance;

(*c*) if, immediately before the said 27th May, she is entitled to a widow's allowance, a widowed mother's allowance or a widow's pension, she shall be disqualified for receiving any additional widow's benefit or additional retirement pension by virtue of her husband's insurance;

(*d*) if, immediately before the said 27th May, she is entitled to a child's special allowance in respect of a child by virtue of a former husband's insurance, she shall be disqualified for receiving any additional child's special allowance in respect of that child by virtue of that husband's insurance.

(2) Notwithstanding as aforesaid, if a person is not resident in Great Britain immediately before the said 27th May but that person is entitled to a guardian's allowance in respect of a child immediately before that date, any person who would otherwise be entitled to any additional guardian's allowance in respect of that child shall be disqualified for receiving any additional guardian's allowance in respect of that child unless and until the child becomes (or is) included in the family of a person who is resident in Great Britain.

(3) For the purposes of this regulation, references to additional benefit of any description are to be construed as referring to additional benefit of that description by virtue (either directly or indirectly) of any provision of the Act of 1963 (other than section 2 thereof) or of these regulations (other than regulations 11 and 21).

(a) *See* S.I. 1952/526, 1960/2422 (1952 II, p. 2196; 1960 II, p. 2169).

(4) The disqualifications for the receipt of additional benefit contained in this regulation shall not apply—

(*a*) to a person for any period during which he is in Great Britain; or

(*b*) to a woman who, immediately before the said 27th May, is entitled to a retirement pension by virtue of her own insurance or to a retirement pension by virtue of her husband's insurance, in relation to a retirement pension by virtue of her husband's insurance or to a retirement pension by virtue of her own insurance, as the case may be, to which she thereafter becomes entitled.

(5) For the purposes of this regulation, a person shall be treated as entitled to any benefit immediately before the said 27th May if he would then have been so entitled but for any one or more of the following causes, namely:—

(*a*) any delay or failure to make a claim;

(*b*) any disqualification for the receipt of benefit;

(*c*) any provision of either the principal Act, or any regulations made thereunder, relating to earnings;

(*d*) the cohabitation of a widow with a man as his wife;

(*e*) the absence of any child from Great Britain; or

(*f*) the provisions of section 21 (4) of the principal Act (which relates to the disentitlement of a woman to more than one retirement pension for the same period).

(6) For the purposes of any disqualification contained in this regulation for the receipt of additional retirement pension by virtue of her husband's insurance, a retirement pension by virtue of a widow's own insurance to which she becomes entitled by virtue of section 2 (1) (*b*) of the National Insurance Act 1957(**a**) (which paragraph provides that in certain cases a widow may have account taken of her husband's contributions in calculating the yearly average of the contributions paid by or credited to her for the purpose of her right to a retirement pension by virtue of her own insurance) shall be treated as if it were a retirement pension by virtue of her husband's insurance.

Child's allowance for certain children outside Great Britain

19. The amount of a child's allowance which is or becomes payable under regulation 18 of the National Insurance (General Transitional) Regulations 1948(**b**), or under regulation 6 (4)(**c**) of the Existing Contributors Regulations (both of which provisions relate to child's allowance for certain children outside Great Britain) shall not be affected by the passing of the Act of 1963 or the making of these regulations.

Rate of widowed mother's allowance for existing beneficiaries

20. As from 27th May 1963, a widowed mother's allowance payable under regulation 4 (1) (*a*) of the Existing Beneficiaries Regulations, as amended(**d**) (which relates to any period for which the widow has a family), shall be treated for the purposes of Schedule 2 Part I paragraph 4 of the principal Act (which sets out the weekly rate of allowances) as if it were a widowed mother's allowance payable under section 17 (1) (*b*) (i) of that Act.

(**a**) 5 & 6 Eliz. 2. c. 26.
(**b**) S.I. 1948/1503 (Rev. XVI, p. 2: 1948 I, p. 2880).
(**c**) *Inserted by* S.I. 1951/538 (1951 I, p. 1498).
(**d**) S.I. 1956/1199, 1960/2422 (1956 I, p. 1625; 1960 II, p. 2169).

Earnings limit for increase of benefit for wife, for adult female person having care of child and for a dependent relative

21. As from 7th March 1963 in the case of unemployment and sickness benefit and as from 27th May 1963 in the case of retirement pension, regulation 4 (2) and regulation 4B (2) (*b*)(a) of the National Insurance (General Benefit) Regulations 1948(b) and regulation 11 (2) (*a*) (ii) of the National Insurance (Unemployment and Sickness Benefit) Regulations 1948(c) as amended(d) (which regulations relate, for the purpose of increases of benefit, to the earnings of a wife, of an adult female person having care of a child or of a dependent relative) shall be amended by the substitution therein of the words "the amount of the increase specified in Schedule 2 Part I column 5 of the Act" for the words "forty shillings"; and in the said regulation 4 (2) the words "by section 3 of the Act of 1957" shall be deleted.

Amendment of definition of standard daily rate of unemployment benefit

22. As from 7th March 1963, in regulation 1 (2) of the National Insurance (Unemployment and Sickness Benefit) Regulations 1948(c), as amended(e), for the words in the definition of standard daily rate of unemployment benefit "is not unable to obtain any financial assistance from her husband" there shall be substituted the words "her husband is contributing to her maintenance at not less than a weekly rate equal to the difference between the two rates which are specified in paragraph 1 (*c*) of the said column 2".

Amendment relating to election to re-enter employment and computation of increases of retirement pension in the case of certain widows

23.—(1) In regulation 9 (*c*) of the Widow's Benefit and Retirement Pensions Regulations(f), the reference to widow's benefit shall not include a reference to widowed mother's allowance and accordingly after the words "widow's benefit" where those words first appear there shall be added the words "other than widowed mother's allowance", and in the proviso of the said regulation 9 (*c*) the words "widowed mother's allowance so far as it is, or is deemed to consist of, dependency benefit within the meaning of paragraph (4) of regulation 1 of the National Insurance (Overlapping Benefits) Regulations 1948 as amended or" shall be deleted.

(2) In regulation 12 of the Widow's Benefit and Retirement Pensions Regulations(f), as amended(g), there shall be deleted in paragraph (1) (*a*) thereof the words from "(excepting widowed mother's allowance" to the words "as amended)", and for paragraph 2 thereof there shall be substituted the following paragraph:—

"(2) This regulation shall not apply in respect of a contribution week for which a woman obtains payment only of—

(*a*) a widowed mother's allowance at a rate not exceeding the rate below which under section 17 (3) of the Act that allowance is not to be reduced on account of earnings; or

(*b*) a contributory old age pension or, if either regulation 11 of the National Insurance (Pensions, Existing Beneficiaries and Other Persons) (Transitional) Regulations 1948, as amended, or regulation 12 of the National Insurance (Pensions, Existing Contributors) (Transitional) Regulations 1948 applies in her case, a widow's

(a) *Inserted by* S.I. 1957/1888 (1957 I, p. 1534).
(b) S.I. 1948/1278 (Rev. XVI, p. 179: 1948 I, p. 2626).
(c) S.I. 1948/1277 (Rev. XVI, p. 212: 1948 I, p. 2676). (d) S.I. 1957/1870 (1957 I, p. 1611).
(e) *See* S.I. 1954/117 (1954 I, p. 1405). (f) *Inserted by* S.I. 1957/1309 (1957 I, p. 1615).
(g) S.I. 1962/12 (1962 I, p. 10).

pension or a retirement pension at a rate not exceeding the rate below which, under those regulations, such benefit is not to be reduced on account of earnings."

Transitory provisions

24.—(1) As respects the period beginning on 7th March 1963 and ending on 26th May 1963, the rate of a person's unemployment or sickness benefit for any day in the said period payable by virtue of section 26 of the principal Act (which relates to unemployment and sickness benefit for persons over pensionable age and regulates the rate of benefit in such cases by reference to the rate of retirement pension) shall be determined as if the day from which higher rates of retirement pension are payable by virtue of the foregoing provisions of these regulations were 7th March 1963.

(2) Where—

(*a*) as respects any period beginning on or after 7th March 1963, or 27th May 1963, as the case may be (hereafter in this regulation referred to as "the appropriate date") it is a condition of a person's right to an amount by way of benefit in respect of a child or an adult dependant that he is contributing to the cost of providing for that child, or to the maintenance of that adult dependant, at a weekly rate calculated by reference to the weekly rate of that amount, and that weekly rate was increased on the appropriate date by virtue (either directly or indirectly) of any provision of the Act of 1963 or any regulation made in consequence of that Act; and

(*b*) as respects any period ended before the appropriate date that person satisfied the said condition by reference to the weekly rate of benefit then in force;

that person shall, for the purpose of his right to the amount in question, be treated as if, in any period referred to in sub-paragraph (*b*) of this paragraph, he had satisfied the said condition by reference to the increased weekly rate.

(3) An amount by way of widowed mother's allowance the right to which is conditional on the widow's contributing to the cost of providing for a child at a specified rate shall be deemed to be benefit to which the foregoing paragraph applies, and for this purpose references in that paragraph to the weekly rate of benefit or of an amount by way thereof shall include references to that specified rate.

Given under the Official Seal of the National Insurance Joint Authority

(L.S.)

D. J. Carter,
Secretary,
National Insurance Joint Authority.

1st March 1963.

Given under the Official Seal of the Minister of Pensions and National Insurance

(L.S.)

Niall Macpherson,
Minister of Pensions and
National Insurance.

1st March 1963.

Francis F. Pearson.

M. A. Hamilton,
Two of the Lords Commissioners
of Her Majesty's Treasury.

1st March 1963.

Regulation 3

SCHEDULE A

SCHEDULE* SUBSTITUTED FOR THE SECOND SCHEDULE TO THE NATIONAL INSURANCE (UNEMPLOYMENT AND SICKNESS BENEFIT) REGULATIONS 1948

Regulation 13 (2)

SECOND SCHEDULE

SHOWING REDUCED RATES OF UNEMPLOYMENT AND SICKNESS BENEFIT AND OF INCREASE OF BENEFIT IN RESPECT OF ADULT DEPENDANTS

(1)	(2)	(3)	(4)	(5)
Number of contributions paid or credited in the relevant contribution year	Full weekly rate of benefit applicable under Part I of the Second Schedule to the Act			
	s. d. 67 6	s. d. 46 0	s. d. 41 6	s. d. 38 6
	Reduced rate at which benefit is payable			
	s. d.	s. d.	s. d.	s. d.
48–49	*65 0*	*45 0*	*40 0*	*37 0*
46–47	*63 0*	*44 0*	*38 6*	*36 0*
43–45	*60 0*	*41 0*	*36 6*	*34 6*
40–42	*54 6*	*38 6*	*34 0*	*31 6*
37–39	*49 6*	*34 6*	*32 0*	*29 0*
34–36	*44 0*	*31 0*	*28 6*	*27 0*
30–33	*39 0*	*27 6*	*25 0*	*23 6*
26–29	*34 0*	*23 0*	*21 0*	*19 6*

Regulation 5

SCHEDULE B

TABLE* SUBSTITUTED FOR THE TABLE IN REGULATION 13 OF THE MATERNITY BENEFIT REGULATIONS

Numbers including the number of contributions paid or credited in respect of the relevant period	Weekly rate	
	Of maternity allowance without increase	Of increase in respect of adult dependant
	s. d.	s. d.
48–49	*65 0*	*40 0*
46–47	*63 0*	*38 6*
43–45	*60 0*	*36 6*
40–42	*54 6*	*34 0*
37–39	*49 6*	*32 0*
34–36	*44 0*	*28 6*
30–33	*39 0*	*25 0*
26–29	*34 0*	*21 0*

* The higher rates of benefit payable by virtue of these regulations are shown in italics.

SCHEDULE C

Regulation 6

SCHEDULE* SUBSTITUTED FOR THE SCHEDULE TO THE WIDOW'S BENEFIT AND RETIREMENT PENSIONS REGULATIONS

SCHEDULE

Regulation 7 (2)

SHOWING REDUCED RATES OF WIDOW'S BENEFIT AND RETIREMENT PENSION AND OF INCREASE OF RETIREMENT PENSION IN RESPECT OF AN ADULT DEPENDANT

(1)	(2)	(3)	(4)	(5)
Yearly average of contributions paid or credited	Full weekly rate of benefit applicable under Part I of the Second Schedule to the Act			
	s. d. 95 0	s. d. 97 6	s. d. 67 6	s. d. 41 6
	Reduced rate at which benefit is payable			
	s. d.	s. d.	s. d.	s. d.
48–49	*91 0*	*95 0*	*65 0*	*40 0*
46–47	*87 0*	*93 0*	*63 0*	*38 6*
43–45	*83 0*	*90 0*	*60 0*	*36 6*
40–42	*76 6*	*84 6*	*54 6*	*34 0*
37–39	*70 0*	*79 6*	*49 6*	*32 0*
34–36	*62 6*	*74 0*	*44 0*	*28 6*
30–33	*55 0*	*69 0*	*39 0*	*25 0*
26–29	*47 6*	*64 0*	*34 0*	*21 0*
22–25	*40 0*	*59 0*	*29 0*	*16 6*
18–21	*32 6*	*53 6*	*23 6*	*14 0*
13–17	*25 0*	*49 0*	*19 0*	*12 0*

* The higher rates of benefit payable by virtue of these regulations are shown in italics.

Regulation 7

SCHEDULE D

SCHEDULE* SUBSTITUTED FOR THE THIRD SCHEDULE TO THE EXISTING BENEFICIARIES REGULATIONS

Regulation 9 (3)

THIRD SCHEDULE

Table showing rates of retirement pension payable under regulation 9 (3) and corresponding increased rates under paragraph (*b*) of the proviso thereto.

Rate at which an old age or widow's pension would, apart from the Increase of Pensions Regulations and but for the repeal of the Contributory Pensions Acts, have been payable (1)	Rate of retirement pension (except in a case where column (4) applies), being the rate at which an old age or widow's pension would, but for the repeal of the Contributory Pensions Acts, have been payable (2)	Corresponding increased rate of retirement pension (3)	Rate of retirement pension for wife by virtue of husband's insurance, where he is alive, being the rate at which an old age pension would, but for the repeal of the Contributory Pensions Acts, have been payable (4)	Corresponding increased rate of retirement pension (5)
s. d.	s. d.	s. d.	s. d.	s. d.
9 0	23 0	*61 0*	14 0	*37 6*
8 3	21 0	*56 0*	12 6	*34 0*
8 0	20 0	*54 0*	12 0	*33 0*
7 3	18 6	*49 6*	11 0	*29 6*
7 0	18 0	*47 6*	11 0	*29 0*
6 6	16 6	*44 0*	10 0	*27 6*
6 0	15 0	*40 6*	9 0	*25 0*
5 9	14 6	*39 0*	9 0	*24 0*
5 6	14 0	*37 0*	8 6	*23 6*
5 0	13 0	*34 0*	8 0	*21 0*
4 6	11 6	*30 6*	7 0	*19 6*
4 3	11 0	*29 0*	6 6	*17 6*
4 0	10 0	*27 0*	6 0	*16 6*
3 9	9 6	*25 6*	6 0	*16 0*
3 6	9 0	*23 6*	5 6	*15 6*
3 3	8 6	*22 6*	5 0	*13 0*
3 0	8 0	*20 6*	5 0	*12 6*
2 9	7 0	*19 0*	4 6	*12 0*
2 6	6 6	*17 0*	4 0	*11 0*
2 3	6 0	*15 6*	3 6	*9 0*
2 0	5 0	*13 6*	3 0	*8 6*
1 9	4 6	*12 0*	3 0	*8 6*
1 6	4 0	*10 0*	2 6	*7 0*
1 3	3 6	*9 0*	2 0	*5 6*
1 0	3 0	*7 6*	2 0	*5 6*
0 9	2 0	*6 0*	1 6	*5 0*
0 6	1 6	*5 6*	1 0	*4 0*

* The higher rates of benefit payable by virtue of these regulations are shown in italics.

SCHEDULE E

Regulation 8

SCHEDULE* SUBSTITUTED FOR THE SECOND SCHEDULE TO THE EXISTING BENEFICIARIES REGULATIONS

SECOND SCHEDULE

Regulation 10 (1)

Table showing:—

(1) in the first column, the rates of retirement pension payable to existing old age pensioners other than those to whom the provisions of subsection (3) of section 14 of the Contributory Pensions Act of 1939 applied; and

(2) in the second column, the corresponding rates of an increase of retirement pension in respect of an adult dependant of such a pensioner, or of a retirement pension payable to a wife of such a pensioner by virtue of her husband's insurance if she had not attained pensionable age at the appointed day.

Rate of retirement pension (1)	Corresponding rate of increase in respect of an adult dependant or of retirement pension for a wife (2)
s. d.	s. d.
61 0	*37 6*
56 0	*34 0*
54 0	*33 0*
49 6	*29 6*
47 6	*29 0*
44 0	*27 6*
40 6	*25 0*
39 0	*24 0*
37 0	*23 6*
34 0	*21 0*
30 6	*19 6*
29 0	*17 6*
27 0	*16 6*
25 6	*16 0*
23 6	*15 6*
22 6	*13 0*
20 6	*12 6*
19 0	*12 0*
17 0	*11 0*
15 6	*9 0*
13 6	*8 6*
12 0	*8 6*
10 0	*7 0*
9 0	*5 6*
7 6	*5 6*
6 0	*5 0*
5 6	*4 0*

* The higher rates of benefit payable by virtue of these regulations are shown in italics.

Regulation 9

SCHEDULE F

SCHEDULE* SUBSTITUTED FOR THE FIRST SCHEDULE TO THE EXISTING BENEFICIARIES REGULATIONS

Regulations 8 and 11 (1)

FIRST SCHEDULE

Table showing:—

(1) in the first column, the rate at which a widow's pension was, or would, but for any disqualification, have been payable (apart from any additional allowance or increase) immediately before the appointed day;

(2) in the second and third columns respectively, the corresponding rates of widowed mother's allowance payable by virtue of the widow's having a family and widowed mother's allowance payable otherwise than by virtue of the widow's having a family, widow's pension or retirement pension for a widow by virtue of her husband's insurance; and

(3) in the fourth column, the rates below which a widow's pension or such a retirement pension, as the case may be, shall not be reduced on account of earnings.

Rate (apart from additional allowance or increase) of widow's pension immediately before the appointed day (1)	Corresponding rate of widowed mother's allowance payable by virtue of the widow's having a family (2)	Corresponding rate of widowed mother's allowance payable otherwise than by virtue of the widow's having a family, widow's pension or retirement pension for a widow by virtue of husband's insurance (3)	Rate below which widow's pension or retirement pension for a widow by by virtue of husband's insurance shall not be reduced on account of earnings (4)
s. d.	s. d.	s. d.	s. d.
9 0	*91 0*	*61 0*	9 0
8 0	*84 0*	*54 0*	8 0
7 0	*77 6*	*47 6*	7 0
6 0	*70 6*	*40 6*	6 0
5 0	*64 0*	*34 0*	5 0

* The higher rates of benefit payable by virtue of these regulations are shown in italics.

SCHEDULE G

Regulation 10

PROVISIONS* SUBSTITUTED FOR PART III OF THE FIFTH SCHEDULE TO THE EXISTING CONTRIBUTORS REGULATIONS

PART III

First Table showing:—

(1) in the first column, the rates at which old age pensions would (subject to the satisfaction of the contribution conditions) have been payable under the Contributory Pensions Acts and the National Insurance (Increase of Contributory Pensions) Regulations, 1946, but for the repeal of those Acts and apart from the application of the provisions of sub-paragraph (*a*) (ii) of paragraph (3) of regulation 6 (which sub-paragraph provides alternative rates of old age pensions for persons to whom certain dependants war pensions are payable), and paragraph (1) of regulation 16 of those regulations (which paragraph excludes pensions for women special voluntary contributors from increase);

(2) in the remaining columns, the corresponding rates of retirement pensions where pensionable age is attained at a date within the periods specified in the headings to those columns.

FIRST TABLE

Rate at which an old age pension would, but for the repeal of the Contributory Pensions Acts, have been payable (1)	Corresponding rate of retirement pension where pensionable age attained during period:—				
	From 5th July, 1948 to 4th July, 1949 (2)	From 5th July, 1949 to 4th July, 1950 (3)	From 5th July, 1950 to 4th July, 1951 (4)	From 5th July, 1951 to 4th July, 1952 (5)	From 5th July, 1952 to 4th July, 1953 (6)
s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
—	*7 6*	*20 6*	*34 0*	*47 6*	*61 0*
3 0	*13 6*	*27 0*	*40 6*	*50 0*	*63 0*
5 0	*19 0*	*29 0*	*42 6*	*54 0*	*63 0*
8 0	*27 0*	*34 0*	*44 6*	*56 0*	*63 0*
10 0	*32 6*	*40 6*	*47 6*	*56 0*	*63 0*
13 0	*37 0*	*44 6*	*54 0*	*58 0*	*65 0*
15 0	*42 6*	*47 6*	*56 0*	*61 0*	*65 0*
18 0	*50 0*	*54 0*	*58 0*	*63 0*	*65 0*
20 0	*56 0*	*58 0*	*61 0*	*63 0*	*65 0*
23 0	*63 0*	*63 0*	*65 0*	*65 0*	*65 0*

* The higher rates of benefit payable by virtue of these regulations are shown in italics.

SECOND TABLE

Second Table showing:—

(1) in the first column, the yearly average of contributions paid by or credited to persons mentioned in Part I; and

(2) in the remaining columns, the corresponding rates of retirement pensions for such persons on attaining pensionable age within five years from the appointed day.

Rates at which retirement pensions would have been payable in accordance with the First Table if the yearly average had been fifty:—

Yearly average of contributions paid or credited ...	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
	7 6	13 6	19 0	20 6	27 0	29 0	32 6	34 0	37 0	40 6	42 6	44 6	47 6	50 0	54 0	56 0	58 0	61 0	63 0	65 0			

Corresponding rates of retirement pensions:—

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
48 and under 50	7 0	12 0	17 0	19 6	25 6	27 6	30 6	33 0	36 0	39 0	41 0	44 0	46 6	49 6	50 6	54 0	56 0	58 0	61 0	63 0
46 „ „ 48	7 0	12 0	17 0	19 6	23 6	27 0	29 0	32 6	34 0	37 0	40 6	42 6	44 6	47 6	50 0	50 6	54 0	56 0	58 0	61 0
43 „ „ 46	7 0	12 0	15 6	19 0	22 6	25 6	27 6	30 6	33 0	36 0	37 0	40 6	42 6	44 6	47 6	49 6	50 6	54 0	56 0	58 0
40 „ „ 43	7 0	10 0	14 0	17 0	20 6	23 6	27 0	27 6	30 6	33 0	34 0	36 0	39 0	41 0	44 0	44 6	47 6	49 6	50 0	54 0
37 „ „ 40	6 0	9 0	13 6	15 6	19 6	20 6	23 6	25 6	27 6	30 6	32 6	33 0	34 0	37 0	40 6	41 0	44 0	44 6	46 6	49 6
34 „ „ 37	6 0	9 0	12 0	13 6	17 0	19 0	20 6	22 6	25 6	27 6	29 0	30 6	32 6	33 0	36 0	37 0	39 0	40 6	41 0	44 0
30 „ „ 34	5 6	7 6	10 0	12 0	15 6	17 0	19 0	19 6	20 6	23 6	25 6	27 0	27 6	29 0	32 6	33 0	34 0	36 0	37 0	39 0
26 „ „ 30	5 6	7 0	9 0	10 0	13 6	14 0	15 6	17 0	19 0	19 6	20 6	22 6	23 6	25 6	27 0	27 6	29 0	30 6	32 6	33 0
22 „ „ 26	5 6	6 0	7 6	9 0	10 0	12 0	13 6	14 0	15 6	15 6	17 0	19 0	19 6	20 6	22 6	23 6	25 6	25 6	27 0	27 6
18 „ „ 22	4 0	5 6	7 0	7 6	9 0	10 0	10 0	12 0	13 6	13 6	14 0	15 6	15 6	17 0	19 0	19 6	20 6	20 6	22 6	22 6
13 „ „ 18	4 0	5 6	6 0	6 0	7 0	7 6	7 6	9 0	10 0	10 0	12 0	13 6	13 6	13 6	14 0	14 0	15 6	15 6	17 0	17 0

THIRD TABLE

Third Table showing:—

(1) in the first and third columns, the rates of retirement pension, apart from any increase, payable to existing pensions contributors by virtue of regulation 14; and

(2) in the second and fourth columns, the corresponding rates of an increase of retirement pension in respect of an adult dependant, or of a retirement pension payable to a wife by virtue of her husband's insurance.

Rate of retirement pension (1)	Corresponding rate of increase in respect of an adult dependant or retirement pension for a wife (2)	Rate of retirement pension (3)	Corresponding rate of increase in respect of an adult dependant or retirement pension for a wife (4)
s. d.	s. d.	s. d.	s. d.
65 0	40 0	30 6	19 6
63 0	38 0	29 0	17 6
61 0	37 6	27 6	17 6
58 0	36 0	27 0	16 6
56 0	34 0	25 6	16 0
54 0	33 0	23 6	15 6
50 6	32 0	22 6	13 0
50 0	30 6	20 6	12 6
49 6	29 6	19 6	12 0
47 6	29 0	19 0	12 0
46 6	28 6	17 0	11 0
44 6	27 6	15 6	9 0
44 0	27 6	14 0	9 0
42 6	25 6	13 6	8 6
41 0	25 6	12 0	8 6
40 6	25 0	10 0	7 0
39 0	24 0	9 0	5 6
37 0	23 6	7 6	5 6
36 0	21 6	7 0	5 0
34 0	21 0	6 0	5 0
33 0	20 0	5 6	4 0
32 6	20 0	4 0	3 6

Regulation 11 (1) (*c*)

SCHEDULE H

SCHEDULE* SUBSTITUTED FOR THE FOURTH SCHEDULE TO THE EXISTING CONTRIBUTORS REGULATIONS

Regulation 12

FOURTH SCHEDULE

Table showing:—

(1) in the first column, the rates of widow's pension or retirement pension for a widow by virtue of her husband's insurance where the marriage took place before the appointed day; and

(2) in the second column, the rates below which a widow's pension or such a retirement pension, as the case may be, shall not be reduced on account of earnings.

Rate of widow's pension or retirement pension for a widow by virtue of husband's insurance (1)	Minimum reduced rate (2)
s. d.	s. d.
65 0	9 6
63 0	9 0
60 0	8 6
54 6	8 0
49 6	7 6
44 0	6 6
39 0	6 0
34 0	5 0
29 0	4 0
23 6	3 6
19 0	2 6

* The higher rates of benefit payable by virtue of these regulations are shown in italics.

SCHEDULE I

Regulation 12

MISCELLANEOUS AMENDMENTS

Date of operation	Regulations amended	Amendments: There shall be substituted for the expressions specified in column (3) (wherever they occur) the expressions specified in column (4)	
(1)	(2)	(3)	(4)
1. 27th May 1963	Existing Beneficiaries Regulations, regulations 9 (3) and 10, as amended(a). (Rates of converted retirement pensions for existing beneficiaries and of increase of retirement pensions in respect of adult dependants and of retirement pensions for wives of certain existing beneficiaries).		
	Regulation 9 (3) proviso	3rd April 1961 s. d. 57 6 35 0	27th May 1963 s. d. 67 6 41 6
	Regulation 10 (1)	57 6	67 6
	Regulation 10 (2), proviso (*a*).	3rd April 1961	27th May 1963
2. 27th May 1963	Existing Contributors Regulations.	s. d.	s. d.
	Regulation 11 (4) (*a*), as amended(b). (Rates of benefit for certain widows over the age of 50 on the appointed day who are existing contributors).	57 6	67 6
3. The date in relation to any personal or dependency benefit under the principal Act as from which the weekly rate of that benefit is increased by virtue of the Act of 1963 or of these regulations.	Hospital In-Patients Regulations, regulations 3, 4, 5, as amended(c) and regulation 6, as amended(d). (Reduction in certain circumstances of the weekly rates of certain descriptions of personal benefit and of dependency benefit in the case of certain hospital in-patients).		
	Regulation 3 (4)	16 6 11 6	18 6 13 6

(a) *See* S.I. 1951/1232, 1957/1950, 1960/2422 (1951 I, p. 1457; 1957 I, p. 1704; 1960 II, p. 2169).
(b) *See* S.I. 1960/2422 (1960 II, p. 2169).
(c) *See* S.I. 1957/1849, 2077, 1960/2422 (1957 I, pp. 1546, 1556; 1960 II, p. 2169).
(d) *See* S.I. 1957/1849, 1960/2422 (1957 I, p. 1546; 1960 II, p. 2169).

Date of operation	Regulations amended	Amendments	
		There shall be substituted for the expressions specified in column (3) (wherever they occur) the expressions specified in column (4)	
(1)	(2)	(3)	(4)
		s. d.	s. d.
	Regulation 4	11 6 23 0	13 6 27 0
	Regulation 5 (1)	16 6 11 6	18 6 13 6
	Regulation 5 (2)	28 0 23 0 11 6	32 0 27 0 13 6
	Regulation 5 (3) (*a*) ...	23 0	27 0
	Regulation 5 (3) (*b*) ...	39 6 34 6	45 6 40 6
	Regulation 5 (4) (*c*) ...	16 6 11 6	18 6 13 6
	Regulation 5 (4) (*d*) ...	34 0	39 6
	Regulation 6 (3) and (4) ...	11 6 16 6 28 0 23 0	13 6 18 6 32 0 27 0
4. 7th March 1963	Hospital In-Patients Regulations. Regulation 6A, as amended(a). (Benefit payable on discharge from a hospital or similar institution).	80 0	90 0
5. 27th May 1963	New Entrants Regulations. Regulation 5 (2) (*a*), as amended(b). (Benefit for certain widows over the age of 50 on the appointed day who are new entrants).	57 6	67 6

(a) *See* S.I. 1957/1849, 1960/1283, 2422 (1957 I, p. 1456; 1960 II, pp. 2163, 2169).
(b) *See* S.I. 1960/2422 (1960 II, p. 2169).

SCHEDULE J

PROVISIONS* OF REGULATIONS UNDER THE PRINCIPAL ACT AS AMENDED BY THESE REGULATIONS

PART I — Regulation 13 (1)

PARAGRAPH (1) OF REGULATION 4 OF THE EXISTING BENEFICIARIES REGULATIONS, AS AMENDED

(1) Subject to the provisions of the Act and of these regulations, an existing widow pensioner shall be entitled to a widowed mother's allowance for any period for which—

(*a*) she has a family which includes a child—

(i) in respect of whom immediately before the appointed day an additional allowance under the Contributory Pensions Acts was payable by virtue of her husband's insurance, or,

(ii) who—

(*aa*) at the husband's death was, or could have been treated under paragraph 3 of the Schedule to the Family Allowances Act, 1945, as, a child of his family; or

(*bb*) is a son or daughter of theirs; or

(*cc*) having at the death of a previous husband of hers by a marriage which ended with that husband's death been a child of that husband's family, was at the death of the last husband a child of her family,

and who, if for the time being included in her family only by virtue of her contributing to the cost of providing for him, is so included by virtue of her so contributing at *a weekly rate not less than the difference between the two weekly rates of widowed mother's allowance as set out in the second column of Part I of the Second Schedule of the Act.*

(*b*) subject to the exception and condition prescribed in regulation 8 of the National Insurance (Widow's Benefit and Miscellaneous Provisions) Regulations, 1956, while not having such a family as aforesaid, she has residing with her a person who is under the age of eighteen years and is, has been, or would, but for the fact that at the husband's death that person was not in Great Britain, be or have been, a child falling within paragraph (i) or within sub-paragraph (*aa*), (*bb*) or (*cc*) of paragraph (ii) of sub-paragraph (*a*) of this paragraph.

PART II — Regulation 15 (1)

PARAGRAPH (1) OF REGULATION 6 OF THE WIDOW'S BENEFIT AND RETIREMENT PENSIONS REGULATIONS, AS AMENDED

(1) Where but for paragraph (*b*) of subsection (3) of section 23 of the Act (which paragraph, as amended by the National Insurance Act, 1951, prevents a man and his wife both being entitled for the same period to certain increases of retirement pensions in respect of children), a man and his wife would both be entitled for the same period, by virtue of his insurance, to an increase of retirement pension, in respect of the same child, or to such an increase at the weekly rate *specified in Schedule 2 Part I column 3 paragraph 7 (a) of the Act* in respect of 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 or, as the case may be, to the increase at the weekly rate *specified in Schedule 2 Part I column 3 paragraph 7 (a) of the Act,*

* The words and figures substituted or added by these regulations are shown in italics.

(*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 or, as the case may be, to the increase at the weekly rate *specified in Schedule 2 Part I column 3 paragraph 7 (a) of the Act* as the Minister may in his discretion from time to time determine.

Regulation 16 (1) PART III

PARAGRAPH (4) OF REGULATION 1 OF THE OVERLAPPING BENEFITS REGULATIONS, AS AMENDED

(4) For the purposes of these regulations, where any benefit by way of widowed mother's allowance is or may be payable to a widow by reason of her having a family which includes a child or children, that benefit (apart from any increase in respect of any child other than the elder or eldest) shall be deemed to consist of—

(*a*) dependency benefit by way of widowed mother's allowance payable to the widow in respect of that child or the elder or eldest of those children at *a weekly rate equal to the difference between the two weekly rates of widowed mother's allowance as set out in the second column of Part I of the Second Schedule of the Act;* and

(*b*) personal benefit by way of widowed mother's allowance payable to the widow otherwise than in respect of any child at the weekly rate at which the first mentioned benefit is or may be payable reduced by *a weekly rate equal to the said difference.*

Regulation 16 (1) PART IV

REGULATION 7 OF THE HOSPITAL IN-PATIENTS REGULATIONS, AS AMENDED

Division of widowed mother's allowance into dependency benefit and personal benefit

7. For the purposes of these regulations, where any benefit by way of widowed mother's allowance is or may be payable to a widow by reason of her having a family which includes a child or children, that benefit (apart from any increase in respect of any child other than the elder or eldest) shall be deemed to consist of—

(*a*) dependency benefit by way of widowed mother's allowance payable to the widow in respect of that child or the elder or eldest of those children at *a weekly rate equal to the difference between the two weekly rates of widowed mother's allowance as set out in the second column of Part I of the Second Schedule of the Act;* and

(*b*) personal benefit by way of widowed mother's allowance payable to the widow otherwise than in respect of any child at the weekly rate at which the benefit by way of widowed mother's allowance is or may be payable reduced by *a weekly rate equal to the said difference.*

Regulation 17 (1) PART V

PARAGRAPH (1C) OF REGULATION 5 OF THE OVERLAPPING BENEFITS REGULATIONS, AS AMENDED

(1C) The dependency benefits referred to in paragraph (1A) of this regulation are:—

(*a*) dependency benefit by way of a guardian's allowance under section 19 of the Act,

(*b*) dependency benefit by way of an orphan's pension under the Act payable by virtue of the National Insurance (Pensions, Existing Beneficiaries and Other Persons) (Transitional) Regulations, 1948, and

(*c*) dependency benefit by way of a death benefit allowance at the *weekly rate in respect of an only, elder or eldest child* under section 21 of the Industrial Injuries Act.

being in each case dependency benefit in respect of a child who is, for the purpose of determining the number of allowances payable under the Family Allowances Act, 1945, treated as excluded from the family.

EXPLANATORY NOTE

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

These Regulations, which are made in consequence of the National Insurance Act 1963, increase the rates of benefit payable under certain regulations made under the National Insurance Act 1946, in order to bring them into conformity with the higher rates of benefit payable directly under that Act by virtue of the Act of 1963. Provision is made in relation to the payment of additional benefit in the case of persons not residing in Great Britain. The remaining provisions are of a minor or consequential character.