

**Seasonal Workers Regulations (Northern Ireland), 1950**

REGULATIONS, DATED 28TH JULY, 1950, MADE BY THE NATIONAL INSURANCE JOINT AUTHORITY AND THE MINISTRY OF LABOUR AND NATIONAL INSURANCE, IN CONJUNCTION WITH THE MINISTRY OF FINANCE, UNDER THE NATIONAL INSURANCE ACT (NORTHERN IRELAND), 1946.

1950. No. 139

The National Insurance Joint Authority, in exercise of powers conferred by section 9 (3) of the National Insurance Act (Northern Ireland), 1946, and the Ministry of Labour and National Insurance, in exercise of powers conferred by section 12 (4) of that Act, in conjunction with the Ministry of Finance, and in exercise 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 (Seasonal Workers) Regulations (Northern Ireland), 1950, and shall come into operation on the 8th August, 1950.

(2) In these regulations, unless the context otherwise requires —  
“ the Act ” means the National Insurance Act (Northern Ireland), 1946 ;

“ employment ” means employment in an employed contributor’s employment, and the expression “ employed ” has a corresponding meaning ;

“ the determining authority ” means, as the case may require, an insurance officer or a local tribunal appointed or constituted in accordance with the National Insurance (Determination of Claims and Questions) Regulations (Northern Ireland), 1948, or an umpire or deputy umpire appointed by the Governor of Northern Ireland for the purposes of the Act ;

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

(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, applies for the purpose of the interpretation of these regulations in like manner as it applies for the purpose of the interpretation of an Act of the Parliament of Northern Ireland.

*Additional condition with respect to the receipt of unemployment benefit*

2.—(1) It shall be an additional condition with respect to the receipt of unemployment benefit by a seasonal worker in respect of any day during his off-season that —

- (a) he has been registered for employment at an employment exchange throughout the period of two years immediately preceding that day, or, if he became a seasonal worker after the commencement of that period, from the day on which he became a seasonal worker until that day, other than (in either case) during any of the following periods, namely :—
- (i) any period during which he was employed or was incapable of work ;
  - (ii) any inconsiderable period ;
  - (iii) any temporary period throughout which he was not available for employment by reason only of domestic necessity or compulsion of law, or by reason of any other circumstances which in the opinion of the determining authority are of an exceptional character ; and
- (b) he proves either —
- (i) that in his current off-season he has had a substantial amount of employment before that day ; or
  - (ii) that (having regard to all the circumstances of his case, including the nature and extent of his employment (if any) in any past off-seasons and the industrial or other relevant conditions normally obtaining in the district or districts in which he is available for employment) he can or could reasonably expect to obtain, after that day in his current off-season, employment which, together with his employment (if any) before that day in that off-season, constitutes a substantial amount of employment.

(2) In this regulation and (where applicable) in regulation 3, the expression —

- (a) “ seasonal worker ” means an insured person whose normal employment is for a part or parts only of a year in an occupation or occupations of which the availability or extent varies with the season of the year ; or any other insured person who normally restricts his employment to the same, or substantially the same, part or parts only of the year ;
- (b) “ off-season ” means, in relation to a seasonal worker, that part, or, if more than one part, those parts, of the year during which he is not normally employed ;
- (c) “ year ” (where used in this paragraph) means the period of twelve months commencing with the first day in the calendar year on which the person concerned begins a period of normal employment ;
- (d) “ a substantial amount of employment ” means employment which is equal in duration to not less than one-fourth (or such other fractional part as the determining authority may,

in the circumstances of any particular case, consider reasonable) of the current off-season.

*Contributions treated as contributions for unemployment benefit*

3. Where not less than thirteen contributions as an employed person have been paid by or credited to a seasonal worker in any contribution year, any contribution as a self-employed person or a non-employed person paid by or credited to him in respect of that contribution year shall be treated as equivalent to a contribution of the appropriate class for the purpose of his satisfying the contribution conditions for unemployment benefit for any day, occurring during the benefit year next following that contribution year, on which he would normally have been employed.

*Revocation of transitional regulation*

4. Regulation 11 of the National Insurance (Unemployment Benefit) (Transitional) Regulations (Northern Ireland), 1948, is hereby revoked but without prejudice to anything duly done or suffered, or to any right, privilege, obligation or liability acquired, accrued or incurred, thereunder.

Given under the Official Seal of the National Insurance Joint Authority this 28th day of July, nineteen hundred and fifty.

(L.S.)

*T. C. Stephens,*  
Secretary,  
National Insurance Joint Authority.

Given under the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this 28th day of July, nineteen hundred and fifty.

(L.S.)

*William Allen,*  
Assistant Secretary to the Ministry of Labour  
and National Insurance for Northern Ireland.

Given under the Official Seal of the Ministry of Finance for Northern Ireland this 28th day of July, nineteen hundred and fifty.

(L.S.)

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