

1987 No. 117

SOCIAL SECURITY

**The Social Security (Medical Evidence) (Amendment)
Regulations (Northern Ireland) 1987**

Made 16th March 1987

Coming into operation 6th April 1987

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by section 115(1) of, and paragraph 2 of Schedule 13 to, the Social Security (Northern Ireland) Act 1975(a) and of all other powers enabling it in that behalf, hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Social Security (Medical Evidence) (Amendment) Regulations (Northern Ireland) 1987 and shall come into operation on 6th April 1987.

(2) In these regulations “the principal regulations” means the Social Security (Medical Evidence) Regulations (Northern Ireland) 1976(b).

Amendment of the principal regulations

2.—(1) The principal regulations shall be amended in accordance with paragraphs (2) to (4) of this regulation.

(2) In regulation 1(2) for the definition of “certified midwife” there shall be substituted the following definition—

“registered midwife” means a midwife who is registered as a midwife with the United Kingdom Central Council for Nursing, Midwifery and Health Visiting under the Nurses, Midwives and Health Visitors Act 1979(c);”

(3) In regulation 2(3) for “maternity benefit” there shall be substituted “maternity allowance” and for “certificate given by a doctor or by a certified midwife” there shall be substituted “a maternity certificate given by a doctor or by a registered midwife”.

(4) For Schedule 2 there shall be substituted the Schedule set out in the Schedule to these regulations.

(a) 1975 c. 15

(b) S.R. 1976 No. 175; to which there are amendments not relevant to these regulations

(c) 1979 c. 36

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 16th March 1987.

(L.S.)

A. N. Burns

Assistant Secretary

SCHEDULE

Regulation 2(4)

Schedule 2 to the principal regulations as substituted by these regulations

SCHEDULE 2

Regulation 2(3)

PART I

Rules

1. In these rules any reference to a woman is a reference to the woman in respect of whom a maternity certificate is given in accordance with these rules.

2. A maternity certificate shall be given by a doctor or registered midwife attending the woman and shall not be given by the woman herself.

3. The maternity certificate shall be on a form provided by the Department for the purpose and the wording shall be that set out in the appropriate part of the form specified in Part II of this Schedule.

4. Every maternity certificate shall be completed in ink or other indelible substance and shall contain the following particulars:

- (a) the woman's name;
- (b) the week in which the woman is expected to be confined or, if the maternity certificate is given after confinement, the date of that confinement and the week in which the confinement was expected to take place where this is later than the actual confinement;
- (c) the date of the examination on which the maternity certificate is based;
- (d) the date on which the maternity certificate is signed; and
- (e) the address of the doctor or where the maternity certificate is signed by a registered midwife either her registered number or address,

and shall bear opposite the word "Signature", the signature of the person giving the maternity certificate written after there has been entered on the maternity certificate the woman's name and the expected week or, as the case may be, the date of the confinement.

5. After a maternity certificate has been given, no further maternity certificate based on the same examination shall be furnished other than a maternity certificate by way of replacement of an original which has been lost or mislaid, in which case it shall be clearly marked "duplicate".

PART II

Form of Maternity Certificate

Maternity Certificate

Please fill in this form in ink

Name of patient _____

Part A

Fill in this part if you are giving the certificate before the confinement

Do not fill this in more than 14 weeks before the expected week of confinement

I certify that I examined you on the date given below and in my opinion you can expect to be confined in the week that includes / /

Part B

Fill in this part if you are giving the certificate after the confinement

I certify that I attended you in connection with your confinement which took place on / / when you were delivered of a child (— children)

Fill in the rest of Part B if the birth was before the expected week of confinement

In my opinion your confinement was expected in the week that includes / /

Date of examination / /

Registered midwives

Date of signing / /

please give your registered number or address here

Signature _____

Definitions. Confinement: The Social Security (Northern Ireland) Order 1986 defines confinement as 'labour resulting in the issue of a living child, or labour after 28 weeks of pregnancy resulting in the issue of a child whether alive or dead'. Part B of the Maternity Certificate must not be used in any other circumstances. Week: This means the 7 days beginning on a Sunday.

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations substitute new provisions in the Social Security (Medical Evidence) Regulations (Northern Ireland) 1976 (“the principal regulations”). They correspond to provision contained in regulations made by the Secretary of State for Social Services in relation to Great Britain and accordingly, by virtue of section 10(2) of, and paragraph 21 of Schedule 3 to, the Social Security Act 1980 (c. 30) are not subject to the requirement of section 10(1) of that Act for prior reference to the Social Security Advisory Committee.

Regulation 2(2) substitutes a definition of “registered midwife” for the definition of “certified midwife” in regulation 1(2) of the principal regulations. Regulation 2(3) makes minor and consequential amendments to regulation 2(3) of the principal regulations. Regulation 2(4) and the Schedule substitute a new Schedule 2 to the principal regulations prescribing the form on which evidence of pregnancy and the expected week of confinement is to be provided by a woman who claims maternity allowance under section 22 of the Social Security (Northern Ireland) Act 1975 (“the Act”). A new section 22 of the Act is substituted by paragraph 13 of Schedule 4 to the Social Security (Northern Ireland) Order 1986 (S.I. 1986/1888 (N.I. 18)) and is brought into operation on 6th April 1987 by virtue of Schedule 2 to the Social Security (1986 Order) (Commencement No. 3) Order (Northern Ireland) 1987 (S.R. 1987 No. 21 (C. 3)).