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## EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

These Regulations revoke and replace the Health and Personal Social Services (Injury Benefits) Regulations (Northern Ireland) 1975 (the previous Regulations). They provide for the payment, by the Department of Health, Social Services and Public Safety, of injury benefits to or in respect of any person engaged in the Health and Personal Social Services in Northern Ireland whose earning ability is reduced or who dies as a result of an injury suffered or disease contracted in the course of his or her duties.

Part I of the Regulations contains definitions.

Part II specifies the persons to whom the regulations apply (*regulation 3*) and the scale of benefit (*regulation 4*). Where a person's earning ability is reduced permanently, an annual allowance of the amount necessary to provide an income of a specified level, inclusive of certain social security and occupational pension scheme benefits, is payable to that person according to the extent of the reduction of his earning ability and length of service. A lump sum is also payable to that person. There is provision for the payment of a temporary allowance to a person who, as a result of an injury or disease, is on sick leave with reduced pay. Regulation 5 formalises the arrangements whereby the Department recovers the costs of paying allowances or lump sums paid under these Regulations or the previous Regulations together with the costs of providing increases to such allowances or lump sums under Part I of the Pensions (Increase) Act (Northern Ireland) 1971. Regulation 6 defines the meaning of service.

Part III specifies the grounds of entitlement (*regulation 7*) and the benefits payable in respect of a person who dies as a result of, or whose death was hastened by such an injury or disease. Allowances of the amount necessary to provide incomes of a specified level, inclusive of certain social security and occupational pension scheme benefits, are payable to a widow or widower (*regulation 8*), children (*regulation 9*) and dependent relatives (*regulation 10*). Provision is made for the restriction of the aggregate annual rate of allowances payable (*regulation 11*). A lump sum may also be payable to one of these persons (*regulation 12*).

Part IV provides for an allowance to be reviewed and varied in the light of changed circumstances (*regulation 14*), for the loss of rights to benefit in limited circumstances (*regulation 15*), for the offsetting of benefit in circumstances of crime, negligence or fraud (*regulation 16*), for supplementary payments in respect of certain transferred officers (*regulation 17*), for the taking into account of damages recovered by or in respect of the injured person (*regulation 18*), for the avoidance of duplicate benefits (*regulation 19*) and for the determination of questions (*regulation 23*).

To meet the requirements of Article 12(3) of the Superannuation (Northern Ireland) Order 1972 in respect of those who have ceased to be employed, regulation 24 provides an option to allow a person who may be detrimentally affected by these Regulations to elect that they shall not apply to him.

Regulation 25 and the Schedule to the Regulations make consequential revocations.