

of a period of free in-patient treatment of which not less than eight weeks occurred before the appropriate date, a reduction of that personal benefit shall be made in accordance with the provisions of regulation 4 to such an extent only as will not cause that personal benefit to be payable at a weekly rate which, when added to the weekly rate at which any dependency benefit payable by way of an increase thereof is payable, is less than the weekly rate at which that personal benefit, together with any such dependency benefit, would have been payable if the Act and regulations mentioned in paragraph (2) of this regulation had not provided for an increase in the weekly rate of any benefit and Part II of these regulations had not been amended.

(2) In this regulation, the expression " the appropriate date " means, in relation to any personal benefit by way of sickness benefit, widow's allowance, widowed mother's allowance, widow's pension or retirement pension, the day as from which the weekly rate of that benefit is increased by virtue of the Family Allowances and National Insurance Act (Northern Ireland), 1952, or the National Insurance (Increase of Benefit and Miscellaneous Provisions) Regulations (Northern Ireland), 1952, or the National Insurance (Increase of Benefit and Miscellaneous Provisions) (Transitional) Regulations (Northern Ireland), 1952."

Given under the Official Seal of the National Insurance Joint Authority this 18th day of July, nineteen hundred and fifty-two.

(L.S.)

T. C. Stephens,

Secretary, National Insurance Joint Authority.

Given under the Official Seal of the Ministry of Finance for Northern Ireland this 18th day of July, nineteen hundred and fifty-two.

(L.S.)

G. N. Cox,

Assistant Secretary to the Ministry of Finance
for Northern Ireland.

Medical Certification Amendment Regulations (Northern Ireland), 1952

REGULATIONS, DATED 12TH JUNE, 1952, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE UNDER THE NATIONAL INSURANCE ACT (NORTHERN IRELAND), 1946.

1952. No. 112

The Ministry of Labour and National Insurance, in exercise of the powers conferred by section 40 of the National Insurance Act (Northern Ireland), 1946, and of all other powers enabling it in that behalf, hereby makes the following regulations :—

Citation, interpretation and commencement

1. These regulations, which may be cited as the National Insurance (Medical Certification) Amendment Regulations (Northern Ireland), 1952, shall be read as one with the National Insurance (Medical Certification) Regulations (Northern Ireland), 1948, as amended (hereinafter referred to as "the principal regulations") and shall come into operation on the 16th June, 1952.

Amendment of the principal regulations

2. In paragraph (2) of regulation 1 of the principal regulations (which contains definitions and general provisions), the following definition shall be inserted after the definition of "incapacity":—

" 'signature' means, in relation to any certificate, the name by which the person giving the certificate is usually known (any name other than the surname being either in full or otherwise indicated) written by that person in his own handwriting; and the expression 'signed' shall be construed accordingly; "

3. In paragraph (2) of regulation 2 of the principal regulations (which relates to the furnishing of certificates of confinement) there shall be added after the words "or class of cases" the words "and, for the purposes of this paragraph, the expression 'certificate' shall not include a certificate which is given only by the person by whom or on whose behalf the claim is made".

4.—(1) Rules 1 and 2 and 7 to 14 of the rules for medical certification contained in Part I of the schedule to the principal regulations (which Part relates to incapacity) shall be amended in accordance with the following provisions of this regulation, and shall accordingly have effect as set out in the First Schedule to these regulations.

(2) In rule 1, after the words "medical practitioner", there shall be inserted the words "not being the claimant".

(3) At the end of rule 2 there shall be added the following words:—

"and shall bear, opposite the words 'Doctor's Signature', the signature of the certifying practitioner written after there have been entered on the certificate the claimant's name and a statement of the disease or disablement."

(4) In rule 7 the words "or 12" shall be omitted and, after the word "incapacity", there shall be added the words

"but if, subject to the following provisions of these rules,—

(a) the claimant having obtained a certificate in the form of a first certificate which relates to incapacity which began on the Thursday, Friday, Saturday or Sunday of a contribution week, that certificate is furnished in that contribution week or in the next following contribution week; or

(b) the claimant having obtained in a contribution week a certificate in the form of a final certificate which specifies the Monday, Tuesday or Wednesday of the next following contribution week as the date on which, in the opinion of the practitioner, the claimant will become fit to resume work, that certificate is furnished on or before that date, the provisions of this rule shall, in either case, be deemed to have been complied with in relation to both those contribution weeks ”.

(5) At the end of rule 8 the following words shall be added :—

“ If the claimant, in the opinion of the practitioner, will become fit to resume work on a date not later than the end of the third day after the date of the examination to which a first certificate relates, the certificate shall specify the first mentioned date.”

(6) In rule 9,—

(a) the words “ is fit to resume work immediately after, or ” and the words “ on a day ” shall be omitted ;

(b) for the words “ the third day after,”, there shall be substituted the words “ the end of the third day after ” ; and

(c) the words “ covering only the period up to and including the date of the examination on which the certificate is based ” shall be added at the end of the said rule.

(7) In rule 10,—

(a) for the words “ rule 11, 12 or 13 ”, there shall be substituted the words “ rule 11 or 12 ” ; and

(b) the words “ covering only the period up to and including the date of the examination on which the certificate is based ” shall be added at the end of the said rule.

(8) In rule 11 all the words following the words “ unless otherwise directed by the Ministry ” shall be omitted and the following words shall be substituted therefor :—

“ furnish a certificate in the form of an intermediate certificate covering the period up to and including the date of the examination on which the certificate is based, and a specified number of weeks thereafter which shall not exceed four or, where the incapacity has continued for more than six months, thirteen.”

(9) Rule 12 shall be omitted.

(10) In rule 13 (which shall be renumbered “ 12 ”), for the words “ is, or will become on a day not later than ”, there shall be substituted the words “ will become, not later than the end of ”.

(11) For rule 14 the following rule shall be substituted :—

“ 13. Before resuming work, every claimant shall obtain a certificate specifying the date on which, in the opinion of the practitioner, the claimant will become fit to resume work.”

5. For the forms of certificates set out in the said Part I of the schedule to the principal regulations, there shall be substituted the forms of certificates set out in the Second Schedule to these regulations.

6. Rule 3 of the rules for certification set out in Part II of the said schedule to the principal regulations (which Part relates to confinement) shall be amended as follows, and shall accordingly have effect as set out in the Third Schedule to these regulations :—

(1) For paragraph (e), there shall be substituted the following paragraph :—

“(e) where the certificate is signed by a midwife, either the registered number of the midwife or her address and the date of her qualification ;”

(2) Below paragraph (e), there shall be added the following words :—

“and shall bear, opposite the word ‘signature’, the signature of the person giving the certificate written after there have been entered on the certificate the woman’s name and the date, or (as the case may be) the expected date, of the confinement.”

7. After the said rule 3, the following rule shall be added :—

“4. After a certificate based on an examination has been given, no further certificate based on the same examination shall be furnished other than a certificate to replace an original certificate which has been lost or mislaid, but in that case the form shall be clearly marked ‘duplicate’.”

8. For the forms of certificates set out in the said Part II of the schedule to the principal regulations, there shall be substituted the forms of certificates set out in the Fourth Schedule to these regulations.

Sealed with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this 12th day of June, 1952, in the presence of

(L.S.)

William Allen,

Assistant Secretary to the Ministry of Labour and National Insurance for Northern Ireland.

FIRST SCHEDULE

Regulation 4.

CONTAINING THE RULES FOR MEDICAL CERTIFICATION (SET OUT IN PART I OF THE SCHEDULE TO THE PRINCIPAL REGULATIONS) WHICH ARE AMENDED BY THESE REGULATIONS *

1. In these rules, unless the context otherwise requires —

“certificate” means a certificate of incapacity ;

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

- “ claimant ” means the person in respect of whom a certificate is given ;
 “ practitioner ” means a registered medical practitioner *not being the claimant* ;
 “ the Board ” means the Northern Ireland General Health Services Board constituted in accordance with the provisions of the Health Services Act (Northern Ireland), 1948.

2. Every certificate shall be in writing in ink or other indelible substance, and shall contain the following particulars :—

- (a) the claimant's name ;
- (b) the date of the examination on which the certificate is based ;
- (c) a concise statement of the disease or disablement by which the claimant is, in the practitioner's opinion, at the time rendered incapable of work ;
- (d) the date on which the certificate is given ;
- (e) the address of the practitioner ;

and shall bear, opposite the words “ Doctor's Signature ”, the signature of the certifying practitioner written after there have been entered on the certificate the claimant's name and a statement of the disease or disablement.

7. Except in any case to which the provisions of rule 11 apply, a certificate shall be furnished in every contribution week during the continuance of the incapacity ; *but if, subject to the following provisions of these rules,—*

- (a) *the claimant having obtained a certificate in the form of a first certificate which relates to incapacity which began on the Thursday, Friday, Saturday or Sunday of a contribution week, that certificate is furnished in that contribution week or in the next following contribution week ; or*
- (b) *the claimant having obtained in a contribution week a certificate in the form of a final certificate which specifies the Monday, Tuesday or Wednesday of the next following contribution week as the date on which, in the opinion of the practitioner, the claimant will become fit to resume work, that certificate is furnished on or before that date,*

the provisions of this rule shall, in either case, be deemed to have been complied with in relation to both those contribution weeks.

8. Where the claim is the first claim for sickness benefit made by the claimant after he has become or again become incapable of work, the certificate shall be in the form of a first certificate. *If the claimant, in the opinion of the practitioner, will become fit to resume work on a date not later than the end of the third day after the date of the examination to which a first certificate relates, the certificate shall specify the first mentioned date.*

9. Where the claim is in respect of a day or days of incapacity immediately following the day in respect of which a first certificate has been given, the claimant shall furnish a second certificate, which must have been given at the expiration of not more than seven days from the date of the first certificate. If, in the opinion of the practitioner, the claimant will become fit to resume work not later than *the end of the third day after the date of the examination to which a second certificate relates, that certificate shall be in the form of a final certificate ; and otherwise it shall be in the form of an intermediate certificate covering only the period up to and including the date of the examination on which the certificate is based.*

10. Where the claim is in respect of a day or days of incapacity after the last day in respect of which a second certificate has been given, the certificate shall, except in any case to which the provisions of rule 11 or 12 apply, be in the form of an intermediate certificate covering *only the period up to and including the date of the examination on which the certificate is based.*

11. Where the incapacity has continued for not less than twenty-eight days, and the practitioner is satisfied that the incapacity is likely to continue for a long period, the claimant may, unless otherwise directed by the Ministry, *furnish a certificate in the form of an intermediate certificate covering the period up to and including the date of the examination on which the certificate is based, and a specified number of weeks thereafter which shall not exceed four or, where the incapacity has continued for more than six months, thirteen.*

12. If at the date of the examination to which a certificate other than a first or second certificate relates the claimant in the opinion of the practitioner *will become, not later than the end of the third day after that date, fit to resume work, that certificate shall be in the form of a final certificate.*

13. *Before resuming work, every claimant shall obtain a certificate specifying the date on which, in the opinion of the practitioner, the claimant will become fit to resume work.*

SECOND SCHEDULE

Regulation 5.

CONTAINING FORMS OF CERTIFICATES OF INCAPACITY SUBSTITUTED FOR THE FORMS OF SUCH CERTIFICATES SET OUT IN PART I OF THE SCHEDULE TO THE PRINCIPAL REGULATIONS

FIRST CERTIFICATE
CONFIDENTIAL

To

I CERTIFY that I have examined you on the undermentioned date and that in my opinion you were incapable of work at the time of that examination by reason of

* In my opinion you will be fit to resume work to-day/to-morrow/onday next. †

Doctor's Signature

Date of examination

Date of signing

Any other remarks by Doctor.....

* *Delete if inappropriate.*

† *The day to be indicated must not be more than THREE days after the date of the examination.*

INTERMEDIATE CERTIFICATE
CONFIDENTIAL

To

I CERTIFY that I have examined you on the undermentioned date and that in my opinion by reason of

I. *(For use only when weekly certificates are to be given.)*
you have remained incapable of work up to and including that date.

Doctor's Signature.....

Date of examination.....

Date of signing.....

II. *(For use only when the incapacity has continued for 28 DAYS OR MORE and is likely to be prolonged.)*

you have remained incapable of work up to and including that date and will be incapable of work for a further period of weeks* therefrom.

Doctor's Signature

Date of examination.....

Date of signing

Any other remarks by Doctor.....

* *The period entered must not exceed FOUR WEEKS unless the incapacity has continued for more than SIX MONTHS, in which case it must not exceed THIRTEEN WEEKS.*

FINAL CERTIFICATE
CONFIDENTIAL

To

I CERTIFY that I have examined you on the undermentioned date and that in my opinion you have remained incapable of work up to the time of that examination by reason of

In my opinion you will be fit to resume work to-day/to-morrow/onday next.*

Doctor's Signature

Date of examination

Date of signing

Any other remarks by Doctor.....

* *The day to be indicated must not be more than THREE days after the date of the examination.*

THIRD SCHEDULE

Regulation 6.

RULE 3 OF THE RULES FOR CERTIFICATION (SET OUT IN PART II OF THE SCHEDULE TO THE PRINCIPAL REGULATIONS) AS AMENDED BY THESE REGULATIONS*

3. Every certificate of confinement or expected confinement shall contain the following particulars :—

- (a) the woman's name ;
- (b) in the case of a certificate of confinement the date and place of the confinement, and the date of the examination on which the certificate is based ;
- (c) in the case of a certificate of expected confinement the week in which it is to be expected that the woman will be confined and the date of the examination on which the certificate is based ;
- (d) the date on which the certificate is given ;
- (e) *where the certificate is signed by a midwife, either the registered number of the midwife or her address and the date of her qualification ;*

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

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

FOURTH SCHEDULE

Regulation 8.

CONTAINING FORMS OF CERTIFICATES OF CONFINEMENT AND EXPECTED CONFINEMENT
SUBSTITUTED FOR THE FORMS OF SUCH CERTIFICATES SET OUT IN PART II OF THE
SCHEDULE TO THE PRINCIPAL REGULATIONS

CERTIFICATE OF CONFINEMENT (a)

(To be given by a registered medical practitioner or certified midwife.)

I CERTIFY that I attended in
connexion with her confinement (a) which took place at
.....(address)

and that she was there delivered of a child
..... children (b)

on the day of 19.....

(It is important that, where the practitioner or midwife considers the confinement was premature, the following item should be completed. If it is not completed, it should be struck through.)

I CERTIFY that, in my opinion, the confinement was premature. It was expected
in the contribution week (c) including the day of 19.....

Signature

(If Certified Midwife, add Registered Number.....
or Address and Date of Qualification.....
.....)

Date of examination.....

Date of signing.....

NOTES :

(a) Confinement is so defined by the National Insurance Act (Northern Ireland), 1946, that this certificate can only be given —

(i) where labour results in the issue of a living child

or

(ii) where labour results in the issue of a dead child and pregnancy has lasted for at least 28 weeks.

The certificate must not be given in any other circumstances.

(b) Insert number of children, if more than one.

(c) A contribution week is one which begins on a Monday.

CERTIFICATE OF EXPECTED CONFINEMENT

(To be given by a registered medical practitioner or certified midwife not earlier than the beginning of the eleventh week* before the week* containing the day of expected confinement.)

To

I CERTIFY that I have examined you on the undermentioned date and that in my opinion you may expect to be confined in the week* which will include the

day of 19.....

(Here insert the expected date of confinement.)

Signature

(If Certified Midwife, add Registered Number.....)

or Address and Date of Qualification.....

.....
.....)

Date of examination.....

Date of signing

Any other remarks by Doctor or Midwife.....

* The week referred to is a contribution week, i.e., one which begins on a Monday.

**Overlapping Benefits Amendment Regulations
(Northern Ireland), 1952**

REGULATIONS, DATED 8TH APRIL, 1952, MADE BY THE NATIONAL INSURANCE JOINT AUTHORITY, IN CONJUNCTION WITH THE MINISTRY OF FINANCE, UNDER THE NATIONAL INSURANCE ACT (NORTHERN IRELAND), 1946.

1952. No. 65

The National Insurance Joint Authority, acting in conjunction with the Ministry of Finance, in exercise of the powers conferred by section 29 of the National Insurance Act (Northern Ireland), 1946, and of all other powers enabling them in that behalf, hereby make the following regulations :—

Citation, interpretation and commencement

1. These regulations, which may be cited as the National Insurance (Overlapping Benefits) Amendment Regulations (Northern Ireland), 1952, shall be read as one with the National Insurance (Overlapping Benefits) Regulations (Northern Ireland), 1949, as amended (hereinafter referred to as " the principal regulations ") and shall come into operation on the 14th April, 1952.