1.—(1) These regulations may be cited as the Health Services (Prescribed Appliances) (Hospitals) Regulations (Northern Ireland), 1948.

(2) The Interpretation Act, 1921, shall apply for the purpose of the interpretation of these regulations in like manner as it applies for the interpretation of an Act of the Parliament of Northern Ireland.

2. The Authority may supply for the proper treatment or benefit of any patient who is receiving hospital and specialist services as defined in sub-section (1) of section 21 of the Act, any appliance in respect of which arrangements have been made for its supply to hospitals in accordance with a scheme to be prepared by the Authority and approved by the Ministry.

Provided that :—

(1) the supply of the appliance is recommended by the Medical Officer of the hospital who is in charge of the treatment of the patient ;

(2) an appliance shall not be supplied to or for the benefit of any person who already possesses an identical or similar appliance which, in the opinion of the medical officer of the hospital who is in charge of the patient, is in all respects suitable to that person unless the medical officer is satisfied that a second or further such appliance is necessarily required by that person ;

(3) an appliance shall not be provided by the Authority for a person who is not an in-patient of a hospital if it can readily be obtained by that person under the provisions of Part II of the Act ;

(4) a record showing the appliances recommended and the name of the Medical Officer making the recommendation shall be maintained at each hospital.

Sealed with the Official Seal of the Ministry of Health and Local Government for Northern Ireland, this thirtieth day of November, one thousand nine hundred and forty-eight, in the presence of :

(L.S.) *Thos. Elwood*,
Assistant Secretary.

Charges for Appliances

REGULATIONS, DATED 30TH NOVEMBER, 1948, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT UNDER SECTION 21 OF THE HEALTH SERVICES ACT (NORTHERN IRELAND), 1948.

1948. No. 310

The Ministry of Health and Local Government for Northern Ireland, in exercise of the powers conferred on it by section twenty-one

of the Health Services Act (Northern Ireland), 1948, hereby makes the following Regulations :

1. These Regulations may be cited as the Health Services (Charges for Appliances) (Hospitals) Regulations (Northern Ireland), 1948.

2.—(1) In these Regulations the following expressions have the meaning hereby assigned to them —

" Standard," as applied to a denture, glasses, artificial limb or other appliance means the denture, glasses, artificial limb or other appliance which the Northern Ireland Hospitals Authority arranges to supply as part of the Hospital and Specialist Services under the Act to a person needing such an appliance without requiring the payment by or on behalf of that person of any part of the cost of the appliance.

" Special," as applied to a denture, glasses, artificial limb or other appliance means the denture, glasses, artificial limb or other appliance which is approved by the Authority and which is of a more expensive type than the corresponding standard appliance.

" Authority " means the Northern Ireland Hospitals Authority.

" Act " means the Health Services Act (Northern Ireland), 1948.

" Hospital Management Committee " means the Management Committee of any Hospital under the control of the Northern Ireland Hospitals Authority and for the purpose of these Regulations shall be construed as including a Temporary Committee of a Hospital.

(2) The Interpretation Act, 1921, applies to the interpretation of these Regulations as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

3.—(1) Where the Authority, in providing hospital and specialist services —

(*a*) supplies a person, at his request, with a denture or with an optical appliance (hereinafter referred to as " glasses ") which is of a more expensive type than the standard types, or

(*b*) repairs such a denture or glasses at a cost in excess of the cost of repairing a denture or glasses of standard types, the Authority may charge and recover from the person so supplied or for whom such repair is undertaken a sum representing the difference between the cost of supplying or repairing such article and the cost of supplying or repairing a corresponding standard article.

For the purpose of this paragraph the standard type is in the case of a denture the type made of plastic or vulcanite which is supplied as part of the general dental services, and, in case of glasses, the standard types are those prescribed as standard for the purpose in the Health

Services (Supplementary Eye Services) Regulations, 1948, (a) or in any regulations amending or substituted for the said Regulations.

(2) Where an artificial limb supplied under arrangements made by the Authority for the provision of hospital and specialist services is, at the request of the person supplied, of a more expensive type than the standard type or an artificial limb of the more expensive type which has been so supplied is repaired under those arrangements, the Authority may charge and recover from the person so supplied or for whom such repair is undertaken a sum representing the difference between the cost of supplying or repairing such appliance and the cost of supplying or repairing an appliance of the corresponding standard type.

(3) Any denture, glasses or artificial limb to which this regulation applies which, in the opinion of the Surgeon or other person responsible for the case, are required by the person supplied owing solely to his clinical condition, or any repair of a denture, glasses or artificial limb so required shall be supplied or repaired free of charge.

4.—(1) Where any appliance (other than an artificial limb or invalid chair or tricycle) supplied as part of the hospital and specialist services by a hospital vested in the Authority requires to be replaced or repaired the Hospital Management Committee concerned may, if they think fit, refer to a sub-committee or committee, as the case may be, appointed by them the question whether the replacement or repair is necessitated by lack of care on the part of the person so supplied. The said sub-committee or committee may be appointed *ad hoc* or may be a standing sub-committee or committee appointed for the consideration of such questions.

(2) On the receipt of such a reference the sub-committee or committee shall make such inquiry into the matter as they think fit, and if in their opinion the circumstances so require or if the person concerned so demands the inquiry shall take the form of an oral hearing.

(3) After the completion of such inquiry the sub-committee or committee shall report thereon to the Hospital Management Committee who shall then determine whether the replacement or repair is necessitated by lack of care on the part of the person supplied.

(4) The Authority may recover from the person concerned the whole or any part of the cost of the replacement or repair of an appliance determined in manner aforesaid to have been necessitated by lack of care on the part of such person.

5.—(1) Where any appliance (other than an artificial limb, an invalid chair or a tricycle) supplied by a hospital (other than a hospital vested in the Authority) under arrangements made by the Authority for the provision of hospital and specialist services requires to be replaced or repaired the Authority may if they think fit, on the report of the governing body of the hospital, refer to a committee of the Authority the

(a) S. R. & O. (N.I.) 1948—No. 166.

question whether the replacement or repair is necessitated by lack of care on the part of the person so supplied. The said committee may be appointed *ad hoc* or may be a standing committee appointed for the consideration of such questions.

(2) The provisions of paragraphs (2), (3) and (4) of regulation 4 shall apply to the proceedings of the committee and to the action which may be taken on their report, as if those paragraphs had been included in this regulation with the substitution of a reference to the Authority for the reference therein to a Hospital Management Committee, provided that the Authority may, if they think fit, delegate to the committee referred to in paragraph (1) of this regulation the responsibility for determining whether the replacement or repair is necessitated by lack of care on the part of the person supplied.

6.—(1) Where an appliance, consisting of an artificial limb, or an invalid chair or tricycle, supplied under arrangements made by the Authority for the provision of hospital and specialist services requires to be replaced or repaired, and the Authority have reason to believe that such replacement or repair is necessitated by lack of care on the part of the person supplied, they may appoint a person or persons to investigate the matter.

(2) The person or persons so appointed shall make such inquiry into the matter as they think fit, and if in their opinion the circumstances so require or if the person concerned so demands the inquiry shall take the form of an oral hearing.

(3) The persons holding such inquiry shall report thereon to the Authority who shall thereupon determine whether the replacement or repair is necessitated by lack of care on the part of the person supplied : provided that the Authority may, if they think fit, delegate the responsibility for determining whether the replacement or repair is necessitated by lack of care on the part of the person supplied, to the committee referred to in paragraph (1) of regulation 5 of these regulations.

(4) The Authority may recover from the person concerned the whole or any part of the cost of the replacement or repair of an appliance determined in manner aforesaid to have been necessitated by lack of care on the part of such person.

7. For the purposes of regulations 4 and 5 any replacement or repair of glasses supplied as part of the hospital and specialist services which is required by a person within a period of two years after the date on which they were supplied to him shall be presumed to be necessitated by lack of care on his part unless he satisfies the authority concerned that the replacement or repair is not so necessitated.

8.—(1) Notwithstanding anything in the foregoing regulations, where the person applying to a hospital for the replacement or repair of an appliance supplied as part of the hospital and specialist services is a pupil in attendance at any school which is a grant-aided school for

the purposes of the Education Act (Northern Ireland), 1947, and in making application produces a request in the form contained in the Schedule to these regulations, or a form to the like effect, signed by a medical practitioner acting on behalf of the Health Authority or by some other duly authorised officer of the Health Authority, the Authority shall be entitled, if it is decided in manner hereinbefore provided that the service is necessitated by lack of care on the part of the pupil, to recover the cost of the service from the Health Authority and not from the pupil.

(2) This regulation applies to educational establishments maintained by a Local Education Authority and educational establishments with the proprietors of which a Health Authority have made arrangements for the medical inspection and medical treatment of pupils attending those establishments in accordance with the provisions of the Education Act (Northern Ireland), 1947.

Sealed with the Official Seal of the Ministry of Health and Local Government for Northern Ireland this thirtieth day of November, one thousand nine hundred and forty-eight, in the presence of :—

(L.S.) *Thos. Elwood,*
Assistant Secretary.

SCHEDULE

FORM OF REQUEST BY HEALTH AUTHORITY FOR THE REPLACEMENT OR REPAIR OF AN APPLIANCE

THE.....HEALTH AUTHORITY.

Name of Pupil .....

Address .....

.....

The Health Authority request that the following appliance, *viz*—:

.....

produced by the above-named pupil may be [replaced] [repaired] under the hospital and specialist services.

Signed.....
Medical Officer to [Duly authorised officer of] the Health Authority.

Date.....

Charges for Accommodation and Services

REGULATIONS, DATED 28TH JUNE, 1948, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT UNDER SECTIONS TWENTY-ONE AND TWENTY-NINE OF THE HEALTH SERVICES ACT (NORTHERN IRELAND), 1948.

1948. No. 169

The Ministry of Health and Local Government for Northern