NATIONAL INSURANCE (INDUSTRIAL INJURIES)

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Claims and Payments

REGULATIONS, DATED 27TH NOVEMBER, 1950, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE UNDER THE NATIONAL INSURANCE (INDUSTRIAL INJURIES) ACT (NORTHERN IRELAND), 1946.

1950. No. 209

The Ministry of Labour and National Insurance, in exercise of the powers conferred by sections 25 (1) (*b*) and 52 (1) of the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946, and of all other powers enabling it in that behalf, hereby makes the following regulations :—

1. These regulations, which may be cited as the National Insurance (Industrial Injuries) (Claims and Payments) Amendment Regulations (Northern Ireland), 1950, shall be read as one with the National Insurance (Industrial Injuries) (Claims and Payments) Regulations (Northern Ireland), 1948 (hereinafter referred to as " the principal regulations ") and shall come into operation on the 28th November, 1950.

2. The following regulation shall be added after regulation 12 of the principal regulations :—

" Special provisions for injury benefit

12A.—(1) Notwithstanding the provisions of paragraphs (1) and (4) of the last foregoing regulation, where for the purposes of the provisions of the National Insurance (Industrial Injuries) (Medical Certification) Regulation (Northern Ireland), 1948, as amended, it has been certified that a person is incapable of work and will continue to be incapable of work for the period specified in the certificate, a claim for injury benefit or for an increase of injury benefit may, unless the Ministry otherwise directs, be made by that person in respect of the period of four weeks or such shorter period as the Ministry may in the circumstances determine, in either case commencing immediately after the date of the certificate.

(2) Any claim for injury benefit or for an increase of injury benefit made by such person may, if it is made on the form containing the certificate, be treated by the Ministry as a claim also in respect of any days in the said period of four weeks or in any such shorter period, as the case may be.

(3) Where a claim for injury benefit (including any increase thereof) has been made in accordance with the foregoing provisions of this regulation, and under arrangements made by the Ministry with the consent of the Ministry of Finance, payment by way of such benefit has been

made to any person pending the determination of that claim, without due proof of the fulfilment of the relevant conditions or otherwise than in accordance with the provisions of the Act and the orders and regulations made thereunder, the payment so made shall, for the purposes of the said provisions, be deemed to be a payment of such benefit duly made :

Provided that in any case in which the conditions for the receipt of the benefit were not fulfilled, if it is shown to the satisfaction of an insurance officer, a local appeal tribunal or the umpire, as the case may be, that any person to whom such a payment has been made has not acted in good faith in all respects as to the obtaining and receipt thereof, he shall be liable to repay to the Northern Ireland Industrial Injuries Fund any sum so paid ".

Sealed with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this 27th day of November, 1950, in the presence of

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

Medical Certification

REGULATIONS, DATED 27TH NOVEMBER, 1950, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE UNDER THE NATIONAL INSURANCE (INDUSTRIAL INJURIES) ACT (NORTHERN IRELAND), 1946.

1950. No. 210

The Ministry of Labour and National Insurance, in exercise of the powers conferred by sub-section (1) of section 51 of the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946, and of all other powers enabling it in that behalf, hereby makes the following regulations :—

1. These regulations, which may be cited as the National Insurance (Industrial Injuries) (Medical Certification) Amendment Regulations (Northern Ireland), 1950, shall be read as one with the National Insurance (Industrial Injuries) (Medical Certification) Regulations (Northern Ireland), 1948 (hereinafter referred to as " the principal regulations ") and shall come into operation on the 28th November, 1950.

2.—(1) In rule 11 of the rules for medical certification contained in the Schedule to the principal regulations the words " and that owing to the nature of the disease or injury examination and treatment at intervals of more than one week will be sufficient " and the words " or, where the incapacity has continued for more than six months,