SCHEDULE C Regulation 7 (1)

Regulations Revoked

Citation	Extent of revocation
The National Insurance (Industrial Injuries) (Prescribed Diseases) Regulations (Northern Ireland), 1948.	Regulation 19.
The National Insurance (Industrial Injuries) (Claims and Payments) Amendment Regulations (Northern Ireland), 1950.	The whole of the regulations.

Increase of Benefit and Miscellaneous Provisions

REGULATIONS, DATED 11TH JULY, 1952, MADE BY THE INDUSTRIAL INJURIES JOINT AUTHORITY AND THE MINISTRY OF LABOUR AND NATIONAL INSURANCE UNDER THE NATIONAL INSURANCE (INDUSTRIAL INJURIES) ACT (NORTHERN IRELAND), 1946, AND THE FAMILY ALLOWANCES AND NATIONAL INSURANCE ACT (NORTHERN IRELAND), 1952.

1952. No. 140

The Industrial Injuries Joint Authority, in exercise of powers conferred by sections 12 (6), 14 (5), 18 (1), 19 (4), 30 (1) and 78 (2) of, and paragraph 1 (2) (*b*) of the fourth schedule to, the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946, and the Ministry of Labour and National Insurance, in exercise of powers conferred by sections 27 (2) and 55 (2) of the said Act and section 9 of the Family Allowances and National Insurance Act (Northern Ireland), 1952, and of all other powers enabling them in that behalf, hereby make the following regulations :—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the National Insurance (Industrial Injuries) (Increase of Benefit and Miscellaneous Provisions) Regulations (Northern Ireland), 1952, and shall come into operation on the 14th July, 1952.

(2) In these regulations, unless the context otherwise requires —

" the principal Act " means the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946 ;

" the Act of 1952 " means the Family Allowances and National Insurance Act (Northern Ireland), 1952 ;

" the Benefit Regulations " means the National Insurance (Industrial Injuries) (Benefit) Regulations (Northern Ireland), 1948 as amended ;

" the Prescribed Diseases Regulations " means the National Insurance (Industrial Injuries) (Prescribed Diseases) Regulations (Northern Ireland), 1948 as amended ;

" the Claims and Payments Regulations " means the National Insurance (Industrial Injuries) (Claims and Payments) Regulations (Northern Ireland), 1948 as amended ;

and other expressions have the same meanings as in the principal Act.

(3) References in these regulations to any enactment or regulations shall include references to such enactment or regulations as amended by any subsequent enactment, order or regulations.

(4) 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.

Increases in rates and amounts of benefit payable under regulations

2. The rates and amounts of benefit of the several descriptions specified in the second column of the first schedule to these regulations shall, subject to the provisions of paragraph (3) of regulation 4 be increased as from the 24th July, 1952, and accordingly the provisions of the Benefit Regulations and the Prescribed Diseases Regulations set out in the first column of the said first schedule (which provisions relate to the said rates and amounts of benefit) shall be amended as from the said date by substituting for the words and figures set out in the third column of that schedule the corresponding words and figures set out in the fourth column thereof :

Provided that the increased amount of a disablement gratuity shall be payable only where the period taken into account by the assessment of the extent of the disablement in respect of which the gratuity is awarded begins on or after the said date.

Exceptions and conditions to the operation of section 9 (1) *of the Act of* 1952

3.—(1) Subsection (1) of section 9 of the Act of 1952 (which subsection provides for existing awards of any benefit increased by virtue or in consequence of that Act having effect at the higher weekly rate without any claim therefor) shall in its application to awards of benefit under the principal Act have effect subject to the exceptions and conditions contained in the following paragraphs of this regulation.

(2) If in connection with any award of benefit in force on the day appointed or prescribed for the payment of benefit of that description at a higher weekly rate by virtue of the Act of 1952 or of these regulations a question arises as to —

(*a*) what is the appropriate higher weekly rate which is so payable ; or

(*b*) whether the conditions for the receipt of the benefit at any such higher weekly rate are satisfied ;

then, notwithstanding the provisions of the said subsection (1), the benefit shall continue to be payable at the weekly rate specified in the award unless or until the said question shall have been determined in accordance with the provisions of the principal Act.

(3) Notwithstanding the provisions of paragraph (1) of regulation 18 of the Claims and Payments Regulations as amended (which paragraph relates to the extinguishment of the right to benefit), the right to any additional benefit which becomes payable by virtue of the said subsection (1) shall, as respects the period beginning on the 24th July, 1952, and ending with the expiration of the beneficiary's book of serial orders current on that date (or if there is no such book, the expiration of twelve months from that date), be extinguished if payment thereof is not obtained within the period of eighteen months from the said date.

Transitional provisions, revocations and consequential amendments

4.—(1) As from the 24th July, 1952, in the provisions of the Benefit Regulations mentioned in the first column of the second schedule to these regulations (which relate respectively to the matters mentioned in the second column thereof) there shall be made the amendments specified in the third column thereof.

(2) As from the 29th September, 1952, paragraph (2) of regulation 27 of the Benefit Regulations (which prevents the payment of an unemployability supplement to a person in receipt of a retirement pension under the National Insurance Act (Northern Ireland), 1946) shall be revoked.

(3) Notwithstanding the provisions of regulations 14 and 15 of the Claims and Payments Regulations (which relate to the time and manner of payment of certain increases of disablement pensions and of disablement pensions respectively), where a beneficiary entitled to a disablement pension is or becomes entitled under section 16 of the principal Act to an increase in the weekly rate of his pension in respect of approved hospital treatment on any day in the period from the 24th to the 30th July, 1952, any such increase in so far as it is due only to the operation of the Act of 1952 shall not take effect until the latter date.

Given under the Official Seal of the Industrial Injuries Joint Authority this 11th day of July, 1952.

(L.S.) *T. C. Stephens,*
Secretary, Industrial Injuries Joint Authority.

Sealed with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this 11th day of July, 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 2

AMENDMENT OF PROVISIONS OF THE BENEFIT REGULATIONS AND THE PRESCRIBED DISEASES REGULATIONS RELATING TO RATES AND AMOUNTS OF BENEFIT

Amended Provision	Description of rates and amounts of benefit	Existing rate or amount	New rate or amount
The Benefit Regulations—Regulation 4 (2)	Weekly rates of injury benefit in respect of children under the upper limit of compulsory school age —		
	(*a*) where the employment or employments amounted to full-time or substantially full-time employment;	22 shillings and 6 pence	27 shillings and 6 pence
	(*b*) in any other case.	7 shillings and 6 pence	10 shillings and 6 pence
Regulation 6	Weekly rates of allowance in respect of constant attendance for beneficiary likely to be dependent thereon for a prolonged period —		
	(*a*) to a substantial extent;	20 shillings ...	25 shillings
	(*b*) entirely or almost entirely.	40 shillings ...	50 shillings
Regulation 12 (*b*)	Higher weekly rate of widow's pension payable for thirteen weeks after death of the deceased.	36 shillings ...	42 shillings and 6 pence
Second Schedule (applied by Regulation 3).	Amounts of gratuities for degrees of disablement of —		
	1 per cent. ...	15 pounds ...	18 pounds 10 shillings
	2 per cent. ...	22 pounds 10 shillings	27 pounds 15 shillings
	3 per cent. ...	30 pounds ...	37 pounds
	4 per cent. ...	37 pounds 10 shillings	46 pounds 5 shillings
	5 per cent ...	45 pounds ...	55 pounds 10 shillings
	6 per cent. ...	52 pounds 10 shillings	64 pounds 15 shillings
	7 per cent. ...	60 pounds ...	74 pounds
	8 per cent. ...	67 pounds 10 shillings	83 pounds 5 shillings
	9 per cent. ...	75 pounds ...	92 pounds 10 shillings
	10 per cent. ...	82 pounds 10 shillings	101 pounds 15 shillings
	11 per cent. ...	90 pounds ...	111 pounds
	12 per cent. ...	97 pounds 10 shillings ...	120 pounds 5 shillings
	13 per cent. ...	105 pounds ...	129 pounds 10 shillings
	14 per cent. ...	112 pounds 10 shillings	138 pounds 15 shillings

Amended Provision	Description of rates and amounts of benefit	Existing rate or amount	New rate or amount
	15 per cent. ...	120 pounds ...	148 pounds
	16 per cent. ...	127 pounds 10 shillings	157 pounds 5 shillings
	17 per cent. ...	135 pounds ...	166 pounds 10 shillings
	18 per cent. ...	142 pounds 10 shillings	175 pounds 15 shillings
	19 per cent. ...	150 pounds ...	185 pounds
Third Schedule (applied by Regulation 5).	Weekly rate of disablement pension payable in lieu of disablement gratuity for degree of disablement of —		
	Less than 20 per cent. but not less than 16 per cent.	9 shillings ...	11 shillings
	Less than 16 per cent. but not less than 11 per cent.	6 shillings and 9 pence	8 shillings and 3 pence
	Less than 11 per cent. but not less than 6 per cent.	4 shillings and 6 pence	5 shillings and 6 pence
	Less than 6 per cent.	2 shillings and 3 pence	2 shillings and 9 pence
The Prescribed Diseases Regulations— Regulation 33 (1)	Weekly rate of disablement pension payable in respect of pneumoconiosis where the extent of disablement is —		
	Less than 15 per cent. but not less than 5 per cent.	4 shillings and 6 pence	5 shillings and 6 pence
	Less than 20 per cent. but not less than 15 per cent.	9 shillings ...	11 shillings

SECOND SCHEDULE

Regulation 4

CONSEQUENTIAL AMENDMENTS OF THE BENEFIT REGULATIONS

Amended Provision	Subject matter	Amendments
Regulation 9 (*a*) (ii)	Earnings condition subject to which an increase of benefit may become payable in respect of a female person who has care of a child or children of the beneficiary's family but who does not reside with him.	For the words " sixteen shillings " there shall be substituted the words " twenty-one shillings and sixpence ".
Regulation 12 (*b*)	Higher weekly rate of widow's pension payable for thirteen weeks after the death of the deceased.	For the words " thirty shillings " there shall be substituted the words " thirty-seven shillings ".
Regulation 18 (as amended)	Priority of title to allowances under section 21 of the principal Act.	For the words " ten shillings " in both places where they occur there shall be substituted the words " ten shillings and sixpence ".