(*d*) " a substantial amount of employment " means employment which is equal in duration to not less than one-fourth (or such other fractional part as the determining authority may, in the circumstances of any particular case, consider reasonable) of the current off-season.

NATIONAL INSURANCE (INDUSTRIAL INJURIES)

Benefit, *p.* 397
Claims and Payments, *p.* 399
Increase of Benefit and Miscellaneous Provisions, *p.* 410
Medical Certification, *p.* 415

Benefit

REGULATIONS, DATED 22ND SEPTEMBER, 1952, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE UNDER THE NATIONAL INSURANCE (INDUSTRIAL INJURIES) ACTS (NORTHERN IRELAND), 1946 TO 1952.

1952. No. 199

The Ministry of Labour and National Insurance, in exercise of the powers conferred by sub-section (2A) of section 14 of the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946 (**a**) (as amended by the National Insurance (Industrial Injuries) (Amendment) Act (Northern Ireland), 1948 (**b**)), 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 (Industrial Injuries) (Benefit) Amendment Regulations (Northern Ireland), 1952, shall be read as one with the National Insurance (Industrial Injuries) (Benefit) Regulations, 1948 (**c**), as amended (**d**) (hereinafter referred to as " the principal regulations "), and shall come into operation on the 24th September, 1952.

Amendment of regulation 4A *of the principal regulations*

2. The following regulation shall be substituted for regulation 4A of the principal regulations (**e**) :—

" *Circumstances in which for the purposes of section* 14 *of the Act a beneficiary may be treated as being incapable of following an occupation or employment notwithstanding that he has worked thereat.*

4A.—(1) For the purposes of section 14 of the Act (which section relates to increases of disablement pension in respect of special hardship), in determining whether a beneficiary has at all times since the end of the injury benefit period been incapable of following his regular occupation or employment of an equivalent standard which is

(a) 1946, c.21. (b) 1948, c.20. (c) S. R. & O. 1948. No. 203.
(d) S. R. & O. 1948. No. 344 ; S. R. & O. 1949. No. 73 ; S. R. & O. 1951. No. 102 ; S. R. & O. 1951. No. 161 ; S. R. & O. 1951. No. 182.
(e) See reg. 2 S. R. & O. 1948. No. 344.

suitable in his case, and in determining that question only, the fact that since the end of the injury benefit period such beneficiary had worked at that occupation or any such employment (as the case may be) —

(*a*) for the purpose of rehabilitation or training or of ascertaining whether he had recovered from the effects of the relevant injury ; or

(*b*) before obtaining surgical treatment for the effects of the said injury ;

shall be disregarded in respect of the periods specified in the next following paragraph.

(2) The periods during which the beneficiary worked at his regular occupation or at employment of equivalent standard, which shall be disregarded in accordance with the provisions of the preceding paragraph, shall be —

(*a*) in any case to which sub-paragraph (*a*) of that paragraph applies —

(i) any period during which he worked thereat for any of the said purposes with the approval of the Ministry or on the advice of a medical practitioner ; and

(ii) any other period or periods during which he worked thereat for any of the said purposes and which did not exceed three months in the aggregate ; and

(*b*) in any case to which sub-paragraph (*b*) of that paragraph applies —

(i) any period during which he worked thereat and throughout which it is shown that having obtained the advice of a medical practitioner to submit himself to such surgical treatment he was waiting to undergo the said treatment in accordance therewith ; and

(ii) any other period during which he worked thereat and throughout which it is shown that he was in process of obtaining such advice."

3. The National Insurance (Industrial Injuries) (Benefit) Amendment Regulations (Northern Ireland), 1948 (**a**), are hereby revoked.

Sealed with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this 22nd day of September, 1952, in the presence of

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

(a) S. R. & O. 1948. No. 344.