The Ministry of Labour and National Insurance, in exercise of the powers conferred by section 32(1) of the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946(a), 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), 1955, shall be read as one with the National Insurance (Industrial Injuries) (Benefit) Regulations (Northern Ireland), 1948(b) (hereinafter referred to as "the principal regulations") as amended(c), and shall come into operation on the 6th October, 1955.

Amendment of regulations 23 and 25 of the principal regulations

2. (1) Regulation 23 of the principal regulations, as amended(d), (which regulation relates to exceptions from disqualification for receiving benefits for periods of absence abroad) shall be further amended by the substitution of the following paragraph for paragraph (3) thereof:—

"(3) A person shall not be disqualified for receiving death benefit for any period during which he is absent from Northern Ireland."

(2) Paragraph (1) of regulation 25 of the principal regulations (which paragraph relates to suspension of payment of benefit during absence from Northern Ireland) shall cease to apply to death benefit, and accordingly for that paragraph there shall be substituted the following paragraph:—

"25. (1) The payment of injury benefit payable to any person, whether in respect of a period of absence from Northern Ireland or otherwise, shall be suspended whilst that person is absent from Northern Ireland, unless he is in the Republic of Ireland, the Isle of Man or the Channel Islands or has nominated a person in Northern Ireland (who is approved by the Ministry) to receive payment of such benefit on his behalf."

Sealed with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this 6th day of October, 1955, in the presence of

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

Increase of Benefit and Miscellaneous Provisions

REGULATIONS, DATED 14TH JANUARY, 1955, MADE BY THE INDUSTRIAL INJURIES JOINT AUTHORITY AND THE MINISTRY OF LABOUR AND NATIONAL INSURANCE UNDER THE NATIONAL INSURANCE (INDUSTRIAL INJURIES) ACTS (NORTHERN IRELAND), 1946 TO 1955.

1955. No. 15 [C]

(a) 1946. C. 21. (b) S.R. & O. 1948 No. 203.
(c) The only amendment affecting the subject matter of these regulations is noted in footnote (d). (d) See regulation 3, S.R. & O. 1951 No. 102.

The Industrial Injuries Joint Authority, in exercise of powers conferred by sections 12 (6), 14 (5), 15 (2), 18 (1), 19 (4), and 78 (2) of, and paragraph 1 (2) (*b*) of the Fourth Schedule to, the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946(**a**) and section 81 of that Act, as amended by section 5 of the National Insurance (Industrial Injuries) Act (Northern Ireland), 1953(**b**), and the Ministry of Labour and National Insurance, in exercise of powers conferred by sections 16, 27 (2) and 55 (2) of the said Act of 1946 and section 6 of the National Insurance Act (Northern Ireland), 1955(**c**) 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), 1955, and shall come into operation on the 15th January, 1955.

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

"the principal Act" means the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946, as amended by the National Insurance (Industrial Injuries) Act (Northern Ireland), 1948(**d**), the National Insurance Act (Northern Ireland), 1951(**e**), the Family Allowances and National Insurance Act (Northern Ireland), 1952(**f**) and the National Insurance (Industrial Injuries) Act (Northern Ireland), 1953;

"the Act of 1955" means the National Insurance Act (Northern Ireland), 1955;

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

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

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

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.

Increase in rates and amounts of benefit payable under regulations

2.—(1) The rates and amounts of benefit of the several descriptions specified in the second column of Parts I and II of the First Schedule to these regulations shall, subject to the provisions of

(**a**) 1946. c. 21. (**b**) 1953. c. 30. (**c**) 1955. c. 1.
(**d**) 1948. c. 20. (**e**) 1951. c. 18. (**f**) 1952. c. 14.
(**g**) S.R. & O. 1948. No. 203. (**h**) S.R. & O. 1948. No. 212.
(**i**) S.R. & O. 1948. No. 204.

paragraph (3) of regulation 4, be increased as from the dates respectively specified in relation to those Parts in paragraph (2) of this regulation 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 appropriate 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.

(2) The said increases shall operate in the case of Part I of the First Schedule as from the 25th April, 1955, and in the case of Part II of the said First Schedule as from the 19th May, 1955:

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 disablement in respect of which the gratuity is awarded begins on or after the 19th May, 1955; but nevertheless the amendment made by this regulation to the Third Schedule to the Benefit Regulations (which Schedule, as applied by regulations 5 and 6A(a), prescribes, in relation to awards of disablement gratuity, the weekly rate of pension payable in lieu thereof and the weekly amount by which increase of benefit during approved hospital treatment is reduced) shall have effect as from the 19th May, 1955, whether the period taken into account by the assessment began before or after that date.

Exceptions and conditions to the operation of section 6 (1) *of the Act of* 1955

3.—(1) Subsection (1) of section 6 of the Act of 1955 (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 1955 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(b) (which paragraph relates to the extinguishment of

(a) *Inserted by* S.R. & O. 1953. No. 132.
(b) *See* regulation 5, S.R. & O. 1952. No. 118.

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, in the case of death benefit, on the 25th April, 1955, and in the case of any other benefit, on the 19th May, 1955, and ending in either case with the expiration of the beneficiary's book or serial orders(a) current on the appropriate 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 that date.

Transitional provisions and consequential amendments

4.—(1) 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) The amendments referred to in the last foregoing paragraph shall have effect, in the case of the amendments to regulations 12 and 18, as from the 25th April, 1955, and, in the case of the amendments to regulation 9, as from the 19th May, 1955.

(3) Notwithstanding the provisions of regulation 14 of the Claims and Payments Regulations, as amended(b), and of regulation 15 of those regulations (which relate to the time and manner of payment of benefit), where a beneficiary is or becomes entitled under section 15 of the principal Act to an increased weekly rate of disablement pension in respect of the need of constant attendance, or under section 16 of the principal Act to an increased weekly rate of disablement benefit in respect of approved hospital treatment, on any day in the period from the 19th to the 25th May, 1955, any change in such weekly rate, in so far as it is due only to the operation of the Act of 1955 or of that Act and these regulations, shall not take effect until the latter date.

Revocation and addition to the Benefit Regulations

5.—(1) Paragraphs (3) and (4) of regulation 33 of the Benefit Regulations, as amended(c), are hereby revoked and the following regulation shall be inserted in Part VIII of those regulations after regulation 33:—

"*Payment by way of unemployability supplement and in respect of the need of constant attendance to certain former constables and firemen*

33A.—(1) The following provisions of this regulation shall apply to a former constable or fireman who is or has been on or after the appointed day entitled as such former constable or fireman to payments on account of an injury pension payable under or by virtue of any enactment in respect of an injury received or disease contracted by him before that day or in respect of his retirement in consequence of such an injury or disease.

(a) *See* regulation 2, S.R. & O. 1952. No. 118.
(b) *See* S.R. & O. 1951. No. 101; S.R. & O. 1953. No. 132.
(c) *See* regulation 6, S.R. & O. 1953. No. 135.

(2) If as the result of the said injury or disease he could, for the purposes of section 13 of the Act, be treated as being incapable of work and likely to remain permanently so incapable, he shall have, as from the 19th May, 1955, the like right to payments under the Act by way of unemployability supplement as if the injury or disease were one in respect of which a disablement pension were for the time being payable:

Provided that payment under this paragraph shall be adjusted by reference to the said injury pension so as to be payable at a weekly rate of seven shillings and sixpence, and a person shall not be entitled under the provisions of this paragraph to payment during any period for which he is entitled to an increase of disablement pension by way of unemployability supplement under section 13 of the Act or under regulation 32 of these regulations.

(3) The provisions of regulation 33 of these regulations (which confers a right in certain cases to payments in respect of the need of constant attendance) shall apply to him, as they apply to a person who is or has been entitled on or after the appointed day to weekly payments under the Workmen's Compensation Acts.

(4) In this regulation—

"former constable or fireman" means a person who has been—

(*a*) a member of the Royal Ulster Constabulary or of the Ulster Special Constabulary;

(*b*) a member of a fire brigade maintained by a local authority or by a fire authority constituted under the Fire Services Act (Northern Ireland), 1947; or

(*c*) a member of the National Fire Service (Northern Ireland).

"injury pension" has the same meaning as in section 5 of the National Insurance (Industrial Injuries) Act (Northern Ireland), 1953, but shall not include any pension awarded under a scheme made under the Personal Injuries (Emergency Provisions) Act 1939(a)."

(2) The provisions of regulation 34 of the Benefit Regulations as amended(b) (which applies certain provisions of the Act and regulations) shall apply in relation to any payment under regulation 33A as they apply in relation to payments under regulations 32 and 33, and accordingly the references in the said regulation 34 to the two last preceding regulations shall be construed as references to regulations 32, 33 and 33A.

Given under the Official Seal of the Industrial Injuries Joint Authority this 14th day of January, nineteen hundred and fifty-five.

(L.S.)

T. C. Stephens,
Secretary,
Industrial Injuries Joint Authority.

(a) 2 & 3 Geo. 6. c. 82. (b) *See* regulation 7, S.R. & O. 1953, No. 135.

Sealed with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this 14th day of January, nineteen hundred and fifty-five, in the (L.S.) presence of

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 (a)

PART I

Death Benefit

Amended provision	Description of rate	Existing rate	New rate
Regulation 12(*b*) of the Benefit Regulations	Higher weekly rate of widow's pension payable for thirteen weeks after death of the deceased.	42 shillings and 6 pence.	55 shillings.

PART II

Benefits other than Death 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;	27 shillings and 6 pence.	33 shillings and 9 pence.
	(*b*) in any other case.	10 shillings and 6 pence.	11 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;	25 shillings ...	30 shillings.
	(*b*) entirely or almost entirely.	50 shillings ...	60 shillings.

(a) References to the various provisions are references to those provisions as amended by S.R. & O. 1953, No. 140 and any other regulations specifically mentioned.

Amended provision	Description of rates and amounts of benefit	Existing rate or amount	New rate or amount
Second Schedule (applied by Regulation 3)	Amounts of gratuities for degrees of disablement of—		
	1 per cent.	18 pounds 10 shillings.	22 pounds 10 shillings.
	2 per cent.	27 pounds 15 shillings.	33 pounds 15 shillings.
	3 per cent.	37 pounds ...	45 pounds.
	4 per cent.	46 pounds 5 shillings.	56 pounds 5 shillings.
	5 per cent.	55 pounds 10 shillings.	67 pounds 10 shillings.
	6 per cent.	64 pounds 15 shillings.	78 pounds 15 shillings.
	7 per cent.	74 pounds ...	90 pounds.
	8 per cent.	83 pounds 5 shillings.	101 pounds 5 shillings.
	9 per cent.	92 pounds 10 shillings.	112 pounds 10 shillings.
	10 per cent.	101 pounds 15 shillings.	123 pounds 15 shillings.
	11 per cent.	111 pounds ...	135 pounds.
	12 per cent.	120 pounds 5 shillings.	146 pounds 5 shillings.
	13 per cent.	129 pounds 10 shillings.	157 pounds 10 shillings.
	14 per cent.	138 pounds 15 shillings.	168 pounds 15 shillings.
	15 per cent.	148 pounds ...	180 pounds.
	16 per cent.	157 pounds 5 shillings.	191 pounds 5 shillings.
	17 per cent.	166 pounds 10 shillings.	202 pounds 10 shillings.
	18 per cent.	175 pounds 15 shillings.	213 pounds 15 shillings.
	19 per cent.	185 pounds ...	225 pounds.
Third Schedule (applied by Regulations 5 and 6A(a)	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.	11 shillings ...	13 shillings and 6 pence.
	less than 16 per cent. but not less than 11 per cent.	8 shillings and 3 pence.	10 shillings and 3 pence.
	less than 11 per cent. but not less than 6 per cent.	5 shillings and 6 pence.	6 shillings and 9 pence.
	less than 6 per cent.	2 shillings and 9 pence.	3 shillings and 6 pence.

(a) Regulation 6A was inserted by S.R. & O. 1953, No. 132

Amended provision	Description of rates and amounts of benefit	Existing rate or amount	New rate or amount
The Prescribed Diseases Regulations—			
Regulation 33 (a)	Weekly rate of disablement pension payable in respect of pneumoconiosis where the degree of disablement—		
	does not exceed 10 per cent.	5 shillings and 6 pence.	6 shillings and 9 pence.
	exceeds 10 per cent. but is less than 20 per cent.	11 shillings ...	13 shillings and 6 pence.

SECOND SCHEDULE

Regulation 4

CONSEQUENTIAL AMENDMENTS OF THE BENEFIT REGULATIONS

Amended provision (b)	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 "twenty-one shillings and sixpence" there shall be substituted the words "the weekly rate of the increase payable under the said section".
Regulation 12 (b)	Higher weekly rate of widow's pension payable for thirteen weeks after the death of the deceased.	For the words "thirty-seven shillings" there shall be substituted the words "forty-five shillings".
Regulation 18 ...	Priority of title to allowances under section 21 of the principal Act.	For the words "ten shillings and sixpence" in both places where they occur there shall be substituted the words "eleven shillings and sixpence".

(a) As amended by S.R. & O. 1954. No. 21

(b) The references are to the provisions as amended by S.R. & O. 1952. No. 140, and in the case of regulation 18 by S.R. & O. 1951. No. 182.