1973. No. 388 [C]

NATIONAL INSURANCE AND INDUSTRIAL INJURIES

Miscellaneous Amendments

REGULATIONS, DATED 28TH SEPTEMBER 1973, MADE BY THE NATIONAL INSURANCE JOINT AUTHORITY AND THE MINISTRY OF HEALTH AND SOCIAL SERVICES, IN CONJUNCTION WITH THE MINISTRY OF FINANCE, AND THE INDUSTRIAL INJURIES JOINT AUTHORITY, UNDER THE NATIONAL INSURANCE ACTS (NORTHERN IRELAND) 1966 TO 1972 AND THE NATIONAL INSURANCE (INDUSTRIAL INJURIES) ACTS (NORTHERN IRELAND) 1966.

ARRANGEMENT OF REGULATIONS

1 Citation and commencement

2 Amendment of the National Insurance (Attendance Allowance) Regulations

3 Amendment of the National Insurance (Classification) Regulations

4 Amendment of the National Insurance (Hospital In-Patients) Regulations

5 Amendment of the National Insurance (Medical Certification) Regulations

6 Amendment of the National Insurance (Unemployment and Sickness Benefit) Regulations

7 Amendment of the National Insurance (Industrial Injuries) (Insurable and Excepted Employments) Regulations

8 Amendment of the National Insurance (Industrial Injuries) (Medical Certification) Regulations

The National Insurance Joint Authority, in exercise of powers conferred by sections 19(1) and 49(1) of the National Insurance Act (Northern Ireland) 1966(a), and the Ministry of Health and Social Services on behalf of the Secretary of State, in exercise of powers conferred by sections 1(3) and 74(2) of that Act, section 49(2) of the National Insurance (Industrial Injuries) Act (Northern Ireland) 1966(b) and section 2(5) of the National Insurance Act 1972(c), in each case in conjunction with the Ministry of Finance on behalf of the Secretary of State so far as relates to matters with regard to which the Ministry of Finance has so directed, and the Industrial Injuries Joint Authority, in exercise of powers conferred by paragraph 1 of Part II of Schedule 1 to the second-mentioned Act, and in exercise of all other powers enabling them in that behalf, hereby make the following regulations, being regulations subject to negative resolution in accordance with section 101(3) of the first-mentioned Act and section 80(2) of the second-mentioned Act:

(a) 1966. c. 6 (N.I.).
(b) 1966. c. 9 (N.I.).
(c) 1972. c. 57.

Citation and commencement

1. These regulations may be cited as the National Insurance and Industrial Injuries (Miscellaneous Amendments) Regulations (Northern Ireland) 1973 and shall come into operation on 1st October 1973.

Amendment of the National Insurance (Attendance Allowance) Regulations

2.—(1) The National Insurance (Attendance Allowance) Regulations (Northern Ireland) 1971(**d**) shall be amended in accordance with paragraphs (2) and (3).

(2) Regulation 4 (adults in hospital) shall be amended as follows;

(*a*) in paragraph (*a*) for the words "by the Northern Ireland Hospitals Authority under the Health Services Acts (Northern Ireland) 1953-1971(**g**)" there shall be substituted the words "under the Health and Personal Social Services (Northern Ireland) Order 1972";

(*b*) in paragraph (*b*) for the words "the said Northern Ireland Hospitals Authority" there shall be substituted the words "a Health and Social Services Board established under Article 16 of the Health and Personal Social Services (Northern Ireland) Order 1972".

(3) In the Schedule (**e**) for the heading to the first column there shall be substituted the heading "Chapter or number" and for the entries relating to the Welfare Services Act (Northern Ireland) 1971 and the Health Services Act (Northern Ireland) 1971 there shall be substituted in the first column the one entry "S.I. 1972, No. 1265 (N.I. 14)"; in the second column the one entry "The Health and Personal Social Services (Northern Ireland) Order 1972"; and in the third column the one entry "Articles 5(1)(*b*), 7, 15 and 36—excluding temporary accommodation.".

Amendment of the National Insurance (Classification) Regulations

3. Schedule 1 to the National Insurance (Classification) Regulations (Northern Ireland) 1972(**f**) (classification of insured persons) shall be amended as follows:

(*a*) in paragraph 1 of Column (B), for sub-paragraph (*a*) there shall be substituted the following sub-paragraph—

"(*a*) as a medical practitioner or dental practitioner included in a list prepared under Article 56 or 61 of the Health and Personal Social Services (Northern Ireland) Order 1972;";

(*b*) in paragraph 50(*a*) of Column (A), for the words "an urban or rural district council or other burial board within the meaning of the Public Health Acts (Northern Ireland) 1878 to 1971" there shall be substituted the words "a district council or other burial board within the meaning of the Public Health Acts (Northern Ireland) 1878 to 1971";

(*c*) in paragraph 56(*b*) of Column (A), for the words "the Welfare Services Act (Northern Ireland) 1971(**m**)" there shall be substituted the words "Articles 15 and 36 of the Health and Personal Social Services (Northern Ireland) Order 1972".

Amendment of the National Insurance (Hospital In-Patients) Regulations

4.—(1) The National Insurance (Hospital In-Patients) Regulations (Northern Ireland) 1973(**g**) shall be amended in accordance with paragraphs (2) to (4).

(**d**) S.R. & O. (N.I.) 1971, No. 139.
(**e**) See Sch. 1 to S.R. & O. (N.I.) 1972, No. 198.
(**f**) S.R. & O. (N.I.) 1972, No. 160.
(**g**) S.R. & O. (N.I.) 1973, No. 307.

(2) In regulation 1 (citation, commencement and interpretation):

(*a*) in paragraph (2)—

(i) after the definition of "dependency benefit" there shall be inserted the following definition—

"'Health and Social Services Board' means a Health and Social Services Board established under Article 16 of the Health and Personal Social Services (Northern Ireland) Order 1972;",

(ii) in the definition of "prescribed accommodation" for the words "the Welfare Services Act (Northern Ireland) 1971(**e**)" there shall be substituted the words "Articles 15 and 36 of the Health and Personal Social Services (Northern Ireland) Order 1972";

(*b*) in paragraph (3)—

(i) for the words "the Health Services Act (Northern Ireland) 1971(**g**)" in sub-paragraph (*a*), there shall be substituted the words "the Health and Personal Social Services (Northern Ireland) Order 1972",

(ii) for the words "the Northern Ireland Hospitals Authority constituted under the said Act of 1971" in sub-paragraph (*b*), there shall be substituted the words "a Health and Social Services Board".

(3) In regulation 10(4) (adjustment, or further adjustment, of benefit in certain cases) for the words "management committee", in both places where they occur, there shall be substituted the words "Health and Social Services Board".

(4) In regulation 13(2)(*b*) (calculation of periods) for the words "provided for that person under the Welfare Services Act (Northern Ireland) 1971" there shall be substituted the words "provided for that person under Article 36 of the Health and Personal Social Services (Northern Ireland) Order 1972".

Amendment of the National Insurance (Medical Certification) Regulations

5. Part I of Schedule 1 to the National Insurance (Medical Certification) Regulations (Northern Ireland) 1965(**h**) (rules for medical certification) shall be amended as follows:

(*a*) in rule 1 for the definition of "the Board" there shall be substituted the following definition—

"'the Agency' means the Northern Ireland Central Services Agency for the Health and Personal Social Services established under Article 26 of the Health and Personal Social Services (Northern Ireland) Order 1972.";

(*b*) in rule 5—

(i) for the words "general medical services under the Health Services Act (Northern Ireland) 1948" there shall be substituted the words "general medical services (excluding maternity medical services) under the Health and Personal Social Services (Northern Ireland) Order 1972";

(ii) for the words "the Board" there shall be substituted the words "the Agency";

(*c*) in rule 6 for the words "the Board" there shall be substituted the words "the Agency".

(**h**) S.R. & O. (N.I.) 1965, No. 79.

Amendment of the National Insurance (Unemployment and Sickness Benefit) Regulations

6. In regulation 3(*b*) of the National Insurance (Unemployment and Sickness Benefit) Regulations (Northern Ireland) 1961(**i**) (persons deemed to be incapable of work) for the words "a medical officer of health of a local authority" there shall be substituted the words "the chief administrative medical officer of a Health and Social Services Board established under Article 16 of the Health and Personal Social Services (Northern Ireland) Order 1972 or such other medical officer of that Board as the chief administrative medical officer may authorise".

Amendment of the National Insurance (Industrial Injuries) (Insurable and Excepted Employments) Regulations

7. In Part II of Schedule 1 to the National Insurance (Industrial Injuries) (Insurable and Excepted Employments) Regulations (Northern Ireland) 1973(**j**) (excepted employments) for paragraph (*a*) there shall be substituted the following paragraph—

"(*a*) as a medical practitioner or dental practitioner included in a list prepared under Article 56 or 61 of the Health and Personal Social Services (Northern Ireland) Order 1972;".

Amendment of the National Insurance (Industrial Injuries) (Medical Certification) Regulations

8. Schedule 1 to the National Insurance (Industrial Injuries) (Medical Certification) Regulations (Northern Ireland) 1965(**k**) (rules for medical certification) shall be amended as follows:

(*a*) in rule 1 for the definition of "the Board" there shall be substituted the following definition—

" 'the Agency' means the Northern Ireland Central Services Agency for the Health and Personal Social Services established under Article 26 of the Health and Personal Social Services (Northern Ireland) Order 1972.";

(*b*) in rule 5—

(i) for the words "general medical services under the Health Services Act (Northern Ireland) 1948" there shall be substituted the words "general medical services (excluding maternity medical services) under the Health and Personal Social Services (Northern Ireland) Order 1972";

(ii) for the words "the Board" there shall be substituted the words "the Agency";

(*c*) in rule 6 for the words "the Board" there shall be substituted the words "the Agency".

(i) S.R. & O. (N.I.) 1961, No. 222.
(j) S.R. & O. (N.I.) 1973, No. 11.
(k) S.R. & O. (N.I.) 1965, No. 80.

Given under the Official Seal of the National Insurance Joint Authority this 28th day of September 1973.

(L.S.) *D. S. Beaumont,*
Secretary.

Given under the Official Seal of the Industrial Injuries Joint Authority this 28th day of September 1973.

(L.S.) *D. S. Beaumont,*
Secretary.

Given under the Official Seal of the Ministry of Health and Social Services for Northern Ireland this 28th day of September 1973.

(L.S.) *C. G. Oakes,*
Assistant Secretary.

Given under the Official Seal of the Ministry of Finance for Northern Ireland this 28th day of September 1973.

(L.S.) *C. F. Darling,*
Assistant Secretary.

EXPLANATORY NOTE

(This note is not part of the regulations, but is intended to indicate their general purport.)

These regulations amend provisions of National Insurance and Industrial Injuries Regulations consequential on the coming into operation of the Health and Personal Social Services (Northern Ireland) Order 1972.