the less, shall become payable by that person to the Trustees of the Fund on demand by the National Committee *and, without prejudice to any other method of recovery, if such amount be not paid within two months of written notice demanding payment, such amount may be recovered by deduction from or the withholding of any supplementary benefits then or thereafter payable to any person in respect of that accident or disease;*

(*b*) if half the amount of the moneys so received exceeds the supplementary benefits paid during the interim period between the date of the accident or development of the disease and the date of the receipt of such moneys, no supplementary benefits shall be payable after the date of the receipt of such moneys until the supplementary benefits so withheld together with the amount *repayable or recoverable* under sub-paragraph (*a*) equals half the amount of the moneys so received or until 4 years from the date of the accident or disease whichever first occurs; and after such date any supplementary benefits shall be payable in full *without prejudice however to any right of recovery under sub-paragraph* (*a*).

(2) The National Committee shall from time to time give to the Board and the Minister such information and instructions as may be necessary for giving effect to the preceding provisions of this Article, and the Board and the Minister shall make or withhold payments of supplementary benefits in accordance with such instructions.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order varies and amends the National Insurance (Industrial Injuries) Colliery Workers Supplementary Scheme by enlarging the class of persons to whom the Scheme applies to include certain checkweighers, pick-sharpeners and other persons in similar employment, and certain men employed by the National Coal Board at central workshops. It also makes consequential provision for payment of supplementary contributions.

The Order further amends certain provisions of the Scheme relating to the calculation of supplementary benefit and the adjustment of that benefit when there is also a claim for damages.

1952 No. 1250

The National Insurance (Industrial Injuries) (Increase of Benefit and Miscellaneous Provisions) Regulations, 1952

Made - - - -	*26th June*, 1952
Laid before Parliament	*27th June*, 1952
Coming into Operation	*3rd July*, 1952

The Industrial Injuries Joint Authority, in exercise of powers conferred by sections 12 (6), 14 (5), 18 (1), 19 (4), 30 (1) and 79 (2) of, and paragraph 1 (2) (*b*) of the Fourth Schedule to, the National Insurance (Industrial

Injuries) Act, 1946(a) and the Minister of National Insurance, in exercise of powers conferred by sections 27 (2) and 56 (2) of the said Act and section 9 of the Family Allowances and National Insurance Act, 1952(b), 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, 1952, and shall come into operation on the 3rd July, 1952.

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

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

" the Act of 1952 " means the Family Allowances and National Insurance Act, 1952 ;

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

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

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

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, 1889(i) applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

Increase 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 :

(a) 9 & 10 Geo. 6. c. 62. (b) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 29.
(c) S.I. 1948/1372; Rev. XVI, p. 441; 1948 I, p. 2918.
(d) *See* Rev. XVI, p. 441 *and also* S.I. 1949/691; 1951/833, 1233, 1606: 1949 I, p. 2762; 1951 pp. 1499–1502.
(e) S.I. 1948/1371; Rev. XVI, p. 482; 1948 I, p. 3001.
(f) *See* Rev. XVI, p. 482 *and also* S.I. 1949/230, 1697, 2316; 1950/1565; 1951/305, 306, 918, 1542: 1949 I, p. 2765–2768; 1950 II, p. 41; 1951 I, pp. 1511–1519.
(g) S.I. 1948/1362; Rev. XVI, p. 505; 1948 I, p. 2942.
(h) S.I. 1951/743; 1952/1208: 1951 I, p. 1504; 1952 II, p. 2216.
(i) 52 & 53 Vict. c. 63.

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(**a**) (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(**b**) 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, 1946(**c**)) 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

(a) *See* regulation 5, S.I. 1952/1208, p. 2216 above.
(b) *See* regulation 2, S.I. 1952/1208, p. 2216 above.
(c) 9 & 10 Geo. 6. c. 67.

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 26th day of June, nineteen hundred and fifty-two.

(L.S.)

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

Given under the official seal of the Minister of National Insurance this 26th day of June, nineteen hundred and fifty-two.

(L.S.)

Osbert Peake,
Minister of National Insurance.

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

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.	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
	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 (a))	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".

EXPLANATORY NOTE

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

These Regulations, which are made in consequence of the passing of the Family Allowances and National Insurance Act, 1952, increase the rates of certain benefits payable under regulations made under the National Insurance (Industrial Injuries) Act, 1946, in order to bring them into conformity with the higher rates of benefit payable directly under that Act by virtue of the Act of 1952 and contain supplementary and transitional provisions following upon the passing of the last mentioned Act.

1952 No. 495

The National Insurance (Industrial Injuries) (Insurable and Excepted Employments) Amendment Regulations, 1952

Made - - - -	*7th March*, 1952
Laid before Parliament	*11th March*, 1952
Coming into Operation	*31st March*, 1952

The Industrial Injuries Joint Authority, with the consent of the Treasury, in exercise of powers conferred by Part III of the First Schedule to the National Insurance (Industrial Injuries) Act, 1946(**b**), and of all other powers enabling them in that behalf, hereby make the following regulations:—

Citation, interpretation and commencement

1. These regulations, which may be cited as the National Insurance (Industrial Injuries) (Insurable and Excepted Employments) Amendment Regulations, 1952, shall be read as one with the National Insurance (Industrial

(a) *See* regulation 2, S.I. 1951/1606; 1951 I, p. 1502. (b) 9 & 10 Geo. 6. c. 62.