EXPLANATORY NOTE

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

These Regulations amend the National Insurance (Industrial Injuries) (Benefit) Regulations, 1948, by providing that the provisions of those regulations which suspend the payment of benefit while the beneficiary is absent from Great Britain shall cease to have effect, and by allowing in certain cases an increase of benefit in respect of a spouse who is abroad. As a consequence, they also provide that the special rules in the National Insurance (Industrial Injuries) (Airmen) Regulations, 1948, and the National Insurance (Industrial Injuries) (Mariners) Regulations, 1948, in relation to airmen and mariners as to disqualification for receiving death benefit and an increase of benefit in respect of a spouse and as to suspension of payment of benefit during periods of absence from Great Britain shall cease to have effect.

DETERMINATION OF CLAIMS AND QUESTIONS

1958 No. 702

The National Insurance (Industrial Injuries) (Determination of Claims and Questions) Amendment Regulations, 1958

Made - - - -	*25th April,* 1958
Laid before Parliament	*1st May,* 1958
Coming into Operation	*5th May,* 1958

The Minister of Pensions and National Insurance, in exercise of powers conferred by section 51 of the National Insurance (Industrial Injuries) Act, 1946(**a**), and of all other powers enabling him 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) (Determination of Claims and Questions) Amendment Regulations, 1958, shall be read as one with the National Insurance (Industrial Injuries) (Determination of Claims and Questions) Regulations, 1948(**b**) (hereinafter referred to as the principal regulations) as amended(**c**), and shall come into operation on the 5th May, 1958.

Amendment of regulation 27 of the principal regulations

2.—(1) Regulation 27 of the principal regulations (which relates to rights of audience and representation) shall be amended in accordance with the provisions of the following paragraphs of this regulation and shall accordingly have effect as set out in the Schedule to these regulations.

(2) In paragraph (1) of the said regulation 27, in subhead (v) of sub-paragraph (*a*), in subhead (iv) of sub-paragraph (*b*) and in subhead (ii) of sub-paragraph (*d*) the words " any person nominated by " shall be omitted.

(3) In paragraph (2) of the said regulation 27, the words

" Provided that at a hearing of a case by a local appeal tribunal—

(*a*) no person may be represented by a barrister, advocate or solicitor ; and

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(**a**) 9 & 10 Geo. 6. c. 62. (**b**) S.I. 1948/1299 (Rev. XVI, p. 524: 1948 I, p. 2971).
(**c**) S.I. 1953/1227, 1954/352 (1953 I, p. 1419; 1954 I, p. 1433).

(*b*) an insurance officer or a person nominated by the Minister who is in either case a barrister, advocate or solicitor shall not have the right to be heard ;

unless the chairman of the tribunal in any such case for special reasons consents."

shall be omitted.

(4) At the end of the said regulation 27, there shall be added the following paragraph:—

"(3) Any person who exercises the right conferred by this regulation to be heard at any of the proceedings mentioned in sub-paragraphs (*a*), (*b*) or (*d*) of paragraph (1) of this regulation may call witnesses, and shall be given an opportunity of putting questions directly to any witnesses called at the hearing."

Dated this twenty-fifth day of April, 1958.

John Boyd-Carpenter,
Minister of Pensions and National Insurance.

SCHEDULE Regulation 2

REGULATION 27 OF THE PRINCIPAL REGULATIONS AS AMENDED*

Right of audience and representation.

27.—(1) Subject to paragraph (2) of this regulation, the following shall have the right to be heard:—

(*a*) at a hearing by the Commissioner—
(i) the claimant or beneficiary ;
(ii) an association by whom the appeal is brought ;
(iii) any interested person ;
(iv) an insurance officer ;
(v) the Minister ;

(*b*) at a hearing by a local appeal tribunal—
(i) the claimant or beneficiary ;
(ii) any interested person ;
(iii) an insurance officer ;
(iv) the Minister ;

(*c*) at the proceedings of a medical board or a single medical practitioner acting in place of a medical board—
(i) the claimant or beneficiary ;
(ii) any person admitted to such proceedings as being likely to assist the board ;

(*d*) at a hearing by a medical appeal tribunal—
(i) the claimant or beneficiary ;
(ii) the Minister ;

(*e*) at an inquiry held by the Minister or any person appointed by him—
(i) the person making the application for the decision of the Minister ;
(ii) any person appearing to the Minister or the person holding the inquiry to be interested in the question which has arisen.

(2) Any persons who by virtue of the preceding paragraph of this regulation has the right to be heard at any inquiry by a person appointed by the Minister, or at any hearing by a local appeal tribunal, a medical appeal tribunal or the Commissioner may, and in the case of a body of persons corporate or unincorporated shall, be represented by some person duly authorised, and for the purposes of the proceedings at any such inquiry or hearing any such representative shall have all the rights and powers to which the person whom he represents is entitled under these regulations.

* The words added by these regulations are shown in italics

(3) *Any person who exercises the right conferred by this regulation to be heard at any of the proceedings mentioned in sub-paragraphs (a), (b) or (d) of paragraph (1) of this regulation may call witnesses, and shall be given an opportunity of putting questions directly to any witnesses called at the hearing.*

EXPLANATORY NOTE

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

These Regulations amend the National Insurance (Industrial Injuries) (Determination of Claims and Questions) Regulations, 1948 so as to remove the limitation upon the right to be represented by a barrister, advocate or solicitor at a hearing of a case by a local appeal tribunal and to provide for the calling of witnesses and the putting of questions directly to them in proceedings before the Commissioner, a local appeal tribunal or a medical appeal tribunal.

EXTENSION OF INSURANCE TO DISEASES, ETC.

1958 No. 1068

The National Insurance (Industrial Injuries) (Prescribed Diseases) Amendment Regulations, 1958

Made - - - -	*26th June*, 1958
Laid before Parliament	*2nd July*, 1958
Coming into Operation	*7th July*, 1958

The Minister of Pensions and National Insurance, in exercise of powers conferred by sections 55, 56 and 86 of the National Insurance (Industrial Injuries) Act, 1946(a), and of all other powers enabling him 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) (Prescribed Diseases) Amendment Regulations, 1958, shall be read as one with the National Insurance (Industrial Injuries) (Prescribed Diseases) Regulations, 1948(b) (hereinafter referred to as "the principal regulations"), and shall come into operation on the 7th July, 1958.

Amendment of Part I of the First Schedule to, and of Regulation 4, of the principal regulations and consequential provisions

2.—(1) Subject to the provisions of regulation 3 of these regulations, the First Schedule hereto shall be substituted for, and shall be deemed to be, Part I of the First Schedule to the principal regulations (which, as amended by the regulations referred to in the next succeeding paragraph, lists the diseases and the injuries which are prescribed by the regulations against the occupations in relation to which they are so prescribed) and the said Part I of the First Schedule to the principal regulations as hitherto in operation is accordingly revoked.

(2) Subject as aforesaid the regulations specified in Part I of the Second Schedule to these regulations are hereby revoked to the extent mentioned in the third column of that part of the Schedule.

(a) 9 & 10 Geo. 6. c. 62. (b) S.I. 1948/1371 (Rev. XVI, p. 482: 1948 I, p. 3001).