1973. No. 11 **[C]**

NATIONAL INSURANCE (INDUSTRIAL INJURIES)

Insurable and Excepted Employments

REGULATIONS, DATED 18TH JANUARY 1973, MADE BY THE INDUSTRIAL INJURIES JOINT AUTHORITY, WITH THE CONSENT OF THE MINISTRY OF FINANCE, AND THE MINISTRY OF HEALTH AND SOCIAL SERVICES UNDER THE NATIONAL INSURANCE (INDUSTRIAL INJURIES) ACT (NORTHERN IRELAND) 1966.

The Industrial Injuries Joint Authority, with the consent of the Ministry of Finance on behalf of the Secretary of State, so far as relates to matters with regard to which such consent is required, in exercise of powers conferred by Schedule 1 to the National Insurance (Industrial Injuries) 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 section 74(1) of that Act, and of all other powers enabling them in that behalf, hereby make the following regulations being regulations subject to negative resolution in accordance with section 80(2) of the said Act:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the National Insurance (Industrial Injuries) (Insurable and Excepted Employments) Regulations (Northern Ireland) 1973 and shall come into operation on 5th February 1973.

(2) In these regulations—

"the Act" means the National Insurance (Industrial Injuries) Act (Northern Ireland) 1966;

"hospital" means any institution for the reception and treatment of persons suffering from illness (including mental disorder within the meaning of the Mental Health Act (Northern Ireland) 1961(**b**)), any maternity home, and any institution for the reception and treatment of persons during convalescence or persons requiring medical rehabilitation, and includes clinics, nurseries and out-patient departments maintained in connection with any such institution or home as aforesaid.

Insurable employments

2. Part I of Schedule 1 to the Act (insurable employments) shall have effect as if each of the paragraphs thereof specified in column 1 of Part I of Schedule 1 to these regulations included the employment or employments set out in respect of such paragraph in column 2 of the said Part of Schedule 1 hereto.

Excepted employments

3. Part II of Schedule 1 to the Act (excepted employments) shall have effect as if paragraph 1 thereof (employment under a public or local authority) included the employments set out in Part II of Schedule 1 to these regulations.

(a) 1966. c. 9 (N.I.). (b) 1961. c. 15.

Employments to be included among the insurable employments

4. The employments specified in Part I of Schedule 2, being employments which, apart from this regulation, would not be insurable under the Act and which are such that it appears to the Ministry that—

(*a*) the nature and other circumstances of the service rendered and the work performed therein and in employment which is insurable under the Act are so similar as to result in anomalies in the operation of the Act; and

(*b*) the employments so specified can conveniently be included among the insurable employments;

shall be included among the insurable employments.

Employment to be included among the excepted employments

5. The employment specified in Part II of Schedule 2, being employment which, apart from this regulation, would be insurable under the Act and which is such that it appears to the Ministry that—

(*a*) the nature and other circumstances of the service rendered and the work performed therein and in employment which is not insurable under the Act are so similar as to result in anomalies in the operation of the Act; and

(*b*) the employment so specified can conveniently be included among the excepted employments;

shall be included among the excepted employments.

Persons to be treated as employers

6. In relation to any insured person who is employed in any employment specified in column 1 of Schedule 3, the person specified opposite thereto in column 2 of that Schedule shall, for the purposes of the Act, be treated as that person's employer in that employment.

Revocations

7. The regulations specified in column 2 of Schedule 4 are hereby revoked to the extent mentioned in column 3 of that Schedule.

Given under the Official Seal of the Industrial Injuries Joint Authority this 18th day of January 1973.

(L.S.) *N. Hanson,*
Secretary.

Given under the Official Seal of the Ministry of Health and Social Services for Northern Ireland this 18th day of January 1973.

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

The Ministry of Finance on behalf of the Secretary of State hereby consents to regulations 4, 5 and 7.

Given under the Official Seal of the Ministry of Finance for Northern Ireland this 18th day of January 1973.

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

SCHEDULE 1 Regulations 2 and 3

PART I

INSURABLE EMPLOYMENTS

Paragraphs of Part I of Schedule 1 to the Act	Employments to be included as Insurable Employments
1	2
Paragraph 12 (employment in connection with fire brigades and similar organisations).	Employment in Northern Ireland as a member, or as a person training to become a member, of any fire brigade, first aid party, salvage party or air raid precautions party at a mine or quarry or at any premises to which any of the provisions of the Factories Act (Northern Ireland) 1965(c) applies, or at a shop, office or other premises used solely for business or commercial purposes, in any case in which such organisation is established in pursuance of an obligation imposed under statute or by or with the consent of the owner or occupier of any such mine, quarry or other premises.

PART II

EXCEPTED EMPLOYMENTS

Employment in Northern Ireland, not being employment under a contract of service, under a public or local authority constituted in Northern Ireland, where the service ordinarily performed by the person employed in that employment (or, if he is employed in more than one such employment, the aggregate service performed by him in those employments) is part-time service only, or where that employment is—

(*a*) as a medical practitioner or dental practitioner on the list of the Northern Ireland General Health Services Board constituted in accordance with the provisions of the Health Services Act (Northern Ireland) 1971(d);

(*b*) as a chaplain or other minister of religion;

(*c*) otherwise than as an officer or servant of a public or local authority or as a constable.

(c) 1965. c. 20 (N.I.). (d) 1971. c. 1 (N.I.).