1965. No. 80 **[C]**

NATIONAL INSURANCE (INDUSTRIAL INJURIES)

Medical Certification

REGULATIONS, DATED 15TH APRIL, 1965, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES UNDER THE NATIONAL INSURANCE (INDUSTRIAL INJURIES) ACT (NORTHERN IRELAND) 1946.

The Ministry of Health and Social Services, in exercise of powers conferred by section 51(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, commencement and interpretation

1.—(1) These regulations may be cited as the National Insurance (Industrial Injuries) (Medical Certification) Regulations (Northern Ireland) 1965, and shall come into operation on 19th April, 1965.

(2) In these regulations—

"the Act" means the National Insurance (Industrial Injuries) Act (Northern Ireland) 1946;

"the Ministry" means the Ministry of Health and Social Services;

"the determining authority" means an insurance officer, a local appeal tribunal or the Commissioner, as the case may require, appointed or constituted for the purposes of the Act;

"incapacity" means incapacity by reason of which a person is rendered incapable of work;

"signature" means, in relation to any certificate, the name by which the person giving the certificate is usually known (any name other than the surname being either in full or otherwise indicated) written by that person in his own handwriting; and the expression "signed" shall be construed accordingly.

(3) For the purpose of any provision of these regulations providing that any certificate shall be in a form as set out in Schedule 2, any reference to such form shall include a reference to any such other form substantially to the like effect as the Ministry may from time to time approve.

Certificates of incapacity

2. Every person claiming injury benefit shall furnish evidence of incapacity, in respect of the day or days for which the claim is made, by means of a certificate given by a registered medical practitioner in accordance with the rules for medical certification set out in Schedule 1 in the form appropriate to the circumstances of the case, as set out in Schedule 2, or by such other means as the determining authority may accept as sufficient in the circumstances of any particular case or class of cases.

Revocations

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

Sealed with the Official Seal of the Ministry of Health and Social Services for Northern Ireland this 15th day of April, 1965.

(L.S.) *H. A. Lowry,*
Assistant Secretary.

(a) 1946. c. 21.

SCHEDULE 1 Regulation 2

Rules for Medical Certification

1. In these rules—
"certificate" means a certificate of incapacity;
"claimant" means the person in respect of whom a certificate is given;
"practitioner" means a registered medical practitioner not being the claimant;
"the Board" means the Northern Ireland General Health Services Board constituted in accordance with the provisions of the Health Services Act (Northern Ireland) 1948(a).

2. Every certificate shall be in writing in ink or other indelible substance, and shall contain the following particulars:

(*a*) the claimant's name;

(*b*) the date of the examination on which the certificate is based;

(*c*) a concise statement of the disease or injury by which the claimant is, in the practitioner's opinion, at the time rendered incapable of work;

(*d*) the date on which the certificate is given;

(*e*) the address of the practitioner;

and shall bear, opposite the words "Doctor's Signature", the signature of the certifying practitioner written after there have been entered on the certificate the claimant's name and a statement of the disease or injury.

3. The statement of the incapacitating disease or injury in the certificate shall specify the cause of incapacity as precisely as the practitioner's knowledge of the claimant's condition at the time of the examination permits:
Provided that, if in the practitioner's opinion a disclosure to the claimant of the precise cause would be prejudicial to his well-being, the certificate may contain a less precise statement.

4. Every certificate must have been given on a date not more than one day later than the date of the examination upon which it is based, and no further certificate based on the same examination shall be furnished other than a certificate to replace an original certificate which has been lost or mislaid, but in that case the form shall be clearly marked "duplicate".

5. Where the claimant has been accepted on the list of a practitioner providing general medical services under the Health Services Act (Northern Ireland) 1948, and is being attended by such a practitioner, or is receiving treatment on the advice of such a practitioner at any hospital or similar institution as an out-patient, the certificate shall be on a form supplied by the Board for the purpose and shall be signed by that practitioner.

6. Where the claimant is being attended by any other practitioner the certificate shall be either on a form supplied by the Board, or on such other form substantially to the like effect as the determining authority may accept, and shall be signed by such other practitioner.

7. Except in any case to which the provisions of rule 11 apply, a certificate shall be furnished in every contribution week during the continuance of the incapacity; but if, subject to the following provisions of these rules,—

(*a*) the claimant having obtained a certificate in the form of a first certificate which relates to incapacity which began on the Thursday, Friday, Saturday or Sunday of a contribution week, that certificate is furnished in that contribution week or in the next following contribution week; or

(*b*) the claimant having obtained in a contribution week a certificate in the form of a final certificate which specifies the Monday, Tuesday or Wednesday of the next following contribution week as the date on which, in the opinion of the practitioner, the claimant will become fit to resume work, that certificate is furnished on or before that date;

(a) 1948. c. 3.