SCHEDULE L Regulation 9

Regulations Revoked

Statutory Rules and Orders of Northern Ireland	Citation	Extent of Revocation
S.R. & O. (N.I.) 1948, No. 222	The National Insurance (Classification) Regulations (Northern Ireland) 1948.	Schedule 1 Part II paragraph 6.
S.R. & O. (N.I.) 1950, No. 25	The National Insurance (Classification) Amendment Regulations (Northern Ireland) 1950.	Regulation 3.
S.R. & O. (N.I.) 1953, No. 123	The National Insurance (Maternity Benefit and Miscellaneous Provisions) Regulations (Northern Ireland) 1953.	Regulations 4 and 5.
S.R. & O. (N.I.) 1955, No. 72	The National Insurance (Maternity Benefit and Miscellaneous Provisions) Amendment Regulations (Northern Ireland) 1955.	The whole regulations.

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 National Insurance &c. Act (Northern Ireland) 1964 increase the rates of benefit payable under certain regulations made under the National Insurance Act (Northern Ireland) 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 1964. Provision is made in relation to the payment of additional benefit in the case of persons not residing in Northern Ireland, and as to certain matters arising under the graduated pension scheme. The remaining provisions are of a minor or consequential character.

1965. No. 12 **[C]**

NATIONAL INSURANCE (INDUSTRIAL INJURIES)

Increase of Benefit and Miscellaneous Provisions

REGULATIONS, DATED 22ND JANUARY, 1965, MADE BY THE INDUSTRIAL INJURIES JOINT AUTHORITY AND THE MINISTRY OF HEALTH AND SOCIAL SERVICES UNDER THE NATIONAL INSURANCE (INDUSTRIAL INJURIES) ACTS (NORTHERN IRELAND) 1946 TO 1964.

The Industrial Injuries Joint Authority, in exercise of powers conferred by sections 12(6), 14(5), 15(2), 18, 19(4) and 78(2) of the National Insurance

(Industrial Injuries) Act (Northern Ireland) 1946(**a**), and the Ministry of Health and Social Services, in exercise of powers conferred by section 16 of the said Act of 1946, section 52(1) of the said Act of 1946 (as extended by paragraph 18 of Schedule 6 to the National Insurance &c. Act (Northern Ireland) 1964(**b**)) and Schedule 7 to the said Act of 1964 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 (Northern Ireland) 1965, and shall come into operation on 25th January, 1965.

(2) In these regulations—

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

"the Act of 1964" means the National Insurance &c. Act (Northern Ireland) 1964;

"the Benefit Regulations" means the National Insurance (Industrial Injuries) (Benefit) Regulations (Northern Ireland) 1948(**c**);

"the Claims and Payments Regulations" means the National Insurance (Industrial Injuries) (Claims and Payments) Regulations (Northern Ireland) 1948(**d**).

Increase in rates and amounts of benefit payable under regulations

2.—(1) The rates and amounts of benefit of the several descriptions specified in Schedule 1 shall be increased as from the dates respectively specified in paragraph (2) and accordingly the provisions of the Benefit Regulations set out in column (1) of that Schedule (which provisions relate to the said rates and amounts of benefit) shall be amended as from the appropriate date by substituting for the rates and amounts set out in column (3) of that Schedule the corresponding rates and amounts set out in column (4) thereof.

(2) The said increases shall operate in so far as they relate to injury benefit as from 27th January, 1965, in so far as they relate to widow's pension as from 29th March, 1965 and in so far as they relate to any other benefit as from 31st March, 1965:

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 disablement in respect of which the gratuity is awarded begins on or after 31st March, 1965; but nevertheless the amendment made by this regulation to Schedule 3(**e**) to the Benefit Regulations (which Schedule, as applied by regulations 5 and 6A prescribes, in relation to awards of disablement gratuity, the weekly rate of pension payable in lieu thereof and the weekly amount by which increase of benefit during approved hospital treatment is reduced) shall have effect as from 31st March, 1965, whether the period taken into account by the assessment began before or after that date.

(**a**) 1946. c. 21. (**b**) 1964. c. 37 (N.I.).

(**c**) S.R. & O. (N.I.) 1948, No. 203 as amended by S.R. & O. (N.I.) 1949, No. 73; 1951, No. 102; No. 182; 1952, No. 140; No. 199; 1953, No. 132; No. 135; 1955, No. 15; No. 164; 1956, No. 139; 1957, No. 131; No. 243; No. 264; 1958, No. 114; 1959, No. 93; 1960, No. 25; No. 140; 1961, No. 2; No. 79; 1962, No. 27; 1963, No. 37 and 1964, No. 47

(**d**) S.R. & O. (N.I.) 1948, No. 204 as amended by S.R. & O. (N.I.) 1951, No. 101; 1952, No. 118; 1953, No. 132; 1960, No. 209; 1961, No. 79; 1962, No. 27 and 1964, No. 121.

(**e**) See Schedule to S.R. & O. (N.I.) 1963, No. 37.

Conditions relating to payment of additional benefit under awards made before the appointed or prescribed day

3. Where an award of any benefit under the principal Act has been made before the day appointed or prescribed for the payment of benefit of the description to which the award relates at a higher weekly rate by virtue of the Act of 1964 or of these regulations, paragraph 2(1) of Schedule 7 to that Act (which relates to the effect of any such award) shall, if the period to which the award relates has not ended before that day, have effect subject to the following conditions:

(1) If the award has not been made in accordance with the provisions of sub-paragraph (2) of that paragraph (which sub-paragraph authorises the making of such an award providing for the payment of the benefit at the higher weekly rate as from that day) and a question arises as to—

(*a*) the weekly rate at which the benefit is payable by virtue of the Act of 1964 or of these regulations, or

(*b*) whether the conditions for the receipt of the benefit at the higher weekly rate are satisfied,

the benefit shall be or continue to be payable at the weekly rate specified in the award until the said question shall have been determined in accordance with the provisions of the principal Act.

(2) Notwithstanding the provisions of regulation 18 of the Claims and Payments Regulations(**a**) (extinguishment of the right to sums payable by way of benefit), the right to any sum which, by virtue of the said paragraph 2(1), becomes payable under the award by way of additional benefit shall, as respects the period beginning with that day and ending—

(*a*) in a case where a book of serial orders (as defined in regulation 1(2) of the said regulations(**b**)) for the payment of benefit to which the award relates has been issued to the beneficiary and is current on that day, with the date of the expiration of that book, or

(*b*) in any other case, with the expiration of 12 months from that day,

be extinguished if payment thereof is not obtained within the period of 18 months (or such longer period as the Ministry may determine in the circumstances of any particular case) from that day.

Miscellaneous amendments consequential upon the Act of 1964

4.—(1) As from 27th January, 1965, in regulations 7, 8, 9(**c**) and 9A(**d**) of the Benefit Regulations (increase of benefit in respect of a wife, a dependent relative and a female person having care of child and contributions to maintenance of adult dependants respectively) any reference (either direct or indirect) to the amount of the increase of benefit set out in section 18 of the principal Act shall have effect as if it were a reference to the amount of the increase of benefit set out in paragraph 8 of Schedule 4 to the Act of 1964.

(2) As from 29th March, 1965, in regulation 12(*b*) of the Benefit Regulations (higher rate of widow's pension payable for 13 weeks after the death of the deceased) for the words "the sums of seventy-five shillings and twenty shillings respectively" there shall be substituted the words "the amount specified in paragraph 9(*a*) of Schedule 4 to the National Insurance &c. Act (Northern Ireland) 1964 and the sum of twenty shillings respectively.".

(**a**) See Part I of Sch. B to S.R. & O. (N.I.) 1952, No. 118.
(**b**) See reg. 2 of S.R. & O. (N.I.) 1952, No. 118.
(**c**) See reg. 4 of S.R. & O. (N.I.) 1957, No. 243.
(**d**) See reg. 5 of S.R. & O. (N.I.) 1957, No. 243.