extinguished by the deduction therefrom of the amount of any resettlement benefit which, at the commencement of that period, either was payable to him and was unpaid, or would have been so payable to him if he had then satisfied the conditions for the receipt thereof.

EXPLANATORY NOTE

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

These Regulations substitute a single definition of "free in-patient treatment" for the existing definitions, in the National Insurance (Hospital In-Patients) Regulations (Northern Ireland), 1949, of the definitions of "hospital or similar institution" and of "free in-patient treatment". The effect of the substitution is that the provisions for adjusting benefit will extend to civilian patients maintained free in service hospitals.

The Regulations also make an additional provision for the adjustment of benefit which otherwise would be payable to or in respect of a hospital patient in certain cases where (as certified by a doctor who is treating the patient) either no sum, or no more than a weekly sum which is less than the amount of the weekly benefit otherwise payable, can be applied for the patient's personal comfort or enjoyment. The provision applies only where the patient has received free in-patient treatment for at least 52 weeks. In cases where the provision applies, the benefit which otherwise would be payable and cannot be applied for the patient's personal comfort or enjoyment is not payable immediately but will become payable (to the extent to which it would otherwise have been payable for not more than 52 weeks) to the patient in the event of his or her approved discharge from hospital.

The Regulations also confine the application of the existing provision for setting-off unpaid resettlement benefit accrued for one period of free in-patient treatment against resettlement benefit accrued for another to cases in which the interval between the two periods exceeds 28 days.

The remaining provisions are of a minor or consequential character.

1960. No. 143 **[C]**

NATIONAL INSURANCE

General Benefit

REGULATIONS, DATED 15TH SEPTEMBER, 1960, MADE BY THE NATIONAL INSURANCE JOINT AUTHORITY, IN CONJUNCTION WITH THE MINISTRY OF FINANCE, UNDER THE NATIONAL INSURANCE ACT (NORTHERN IRELAND), 1946.

The National Insurance Joint Authority, in conjunction with the Ministry of Finance, in exercise of powers conferred by section 28 of the National Insurance Act (Northern Ireland), 1946(a), and of all other powers enabling them in that behalf, hereby make the following regulations:

(a) 1946. c. 23.

Citation, interpretation and commencement

1. These regulations, which may be cited as the National Insurance (General Benefit) Amendment Regulations (Northern Ireland), 1960, shall be read as one with the National Insurance (General Benefit) Regulations (Northern Ireland), 1948(a) (hereinafter referred to as "the principal regulations"), and shall come into operation on the 19th September, 1960.

Regulation substituted for regulation 6 of the principal regulations

2. For regulation 6 of the principal regulations (which provides for exceptions from disqualification for receiving benefit for periods of imprisonment or detention in legal custody), there shall be substituted the following regulation:

"*Exceptions from disqualification for imprisonment, etc.*

6.—(1) The following provisions of this regulation shall have effect to except benefit from the operation of those provisions of sub-section (1) of section 28 of the Act which provide that (except where regulations otherwise provide) a person shall be disqualified for receiving any benefit, and an increase of benefit shall not be payable in respect of any person as the beneficiary's wife or husband, for any period during which that person is undergoing imprisonment or detention in legal custody (hereafter in this regulation referred to as 'the said provisions').

(2) The said provisions shall not operate to disqualify a person for receiving a guardian's allowance.

(3) The said provisions shall not operate to disqualify a person for receiving sickness benefit, widow's benefit, child's special allowance, maternity allowance or retirement pension, or to make an increase of benefit not payable in respect of a person, for any period during which that person is undergoing imprisonment or detention in legal custody in connection with a charge brought or intended to be brought against him in criminal proceedings or pursuant to any sentence or order for detention made by a court in such proceedings unless, in relation to him, a penalty is imposed at the conclusion of those proceedings.

(4) In the last foregoing paragraph, 'penalty' means a sentence of imprisonment, corrective training, preventive detention, Borstal training, or detention under section 55 of the Children and Young Persons Act (Northern Ireland), 1950(b), or an order for detention in a remand home or a training school, but does not include any sentence of imprisonment or order for detention in default of payment of a sum adjudged to be paid on conviction.

(5) The said provisions shall not operate to disqualify a person for receiving any benefit (not being a guardian's allowance), or to make an increase of benefit not payable in respect of a person, for any period during which that person is undergoing detention in legal custody after the conclusion of criminal proceedings if it is a period during which he is liable to be detained in a hospital or similar institution in Northern Ireland as a person suffering from mental disorder unless—

(*a*) pursuant to any sentence or order for detention made by the court at the conclusion of those proceedings, he has undergone detention by

(a) S.R. & O. (N.I.) 1948, No. 208 as amended by S.R. & O. (N.I.) 1948, No. 195; 1949, No. 196; 1957, No. 161; 1957, No. 225 and 1957, No. 239.
(b) 1950. c. 5.