WORKMEN'S COMPENSATION

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WORKMEN'S COMPENSATION (SUPPLEMENTATION) Commencement Order (Northern Ireland), 1956

ORDER, DATED 25TH JULY, 1956, MADE BY THE MINISTER OF LABOUR AND NATIONAL INSURANCE UNDER THE WORKMEN'S COMPENSATION (SUPPLEMENTATION) ACT (NORTHERN IRELAND), 1956.

1956. No. 121. [NC]

WHEREAS it is provided by section 2 of the Workmen's Compensation (Supplementation) Act (Northern Ireland), 1956 (a) (hereinafter referred to as "the Act") that "the appointed day" shall be such day as the Minister of Labour and National Insurance may by order appoint:

NOW, THEREFORE, I, THE RIGHT HONOURABLE IVAN NEILL, Minister of Labour and National Insurance for Northern Ireland, hereby make the following Order:—

1. The appointed day for the purposes of section 2 of the Act shall be 28th August, 1956.

2. This Order may be cited as the Workmen's Compensation (Supplementation) Commencement Order (Northern Ireland), 1956.

Given under my hand at Stormont this 25th day of July, 1956.

Ivan Neill,
Minister of Labour and National Insurance for Northern Ireland.

Miscellaneous Provisions

REGULATIONS, DATED 17TH AUGUST, 1956, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE UNDER THE WORKMEN'S COMPENSATION (SUPPLEMENTATION) ACT (NORTHERN IRELAND), 1956.

1956. No. 127

The Ministry of Labour and National Insurance, in exercise of the powers conferred by sections 3, 4 and 5 of the Workmen's

(a) 1956. c.9.

Compensation (Supplementation) Act, (Northern Ireland), 1956(a), and of all other powers enabling it in that behalf, hereby makes the following regulations:—

PART I

GENERAL

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Workmen's Compensation (Supplementation) Regulations, (Northern Ireland), 1956, and shall come into operation on 28th August, 1956.

(2) In these regulations, unless the context otherwise requires—

"the Act" means the Workmen's Compensation (Supplementation) Act (Northern Ireland), 1956;

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

"the Supplementation Act" means the Workmen's Compensation (Supplementation) Act (Northern Ireland), 1951(c);

"the Ministry" means the Ministry of Labour and National Insurance;

"allowance" means an allowance payable under section 2 of the Act;

"allowance order" means an order for the payment through the Post Office of a weekly sum on account of an allowance;

"appropriate post office" means the post office at which an allowance order is payable in any particular case;

"beneficiary" in relation to an allowance, means the person entitled to that allowance;

"claimant" means a person claiming an allowance and, in relation to the review of an award or a decision, includes a beneficiary under the award or a person affected by the decision;

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

and other expressions have the same meaning as in the Act.

(a) 1956. c. 9. (b) 1946. c. 21. (c) 1951. c. 16.

PART II

ALLOWANCES

Awards of Allowances

2. An allowance shall be payable, subject to the provisions of the Act and of these regulations, for such period as may be determined at the time it is granted, but may be renewed from time to time.

Residence qualifications

3.—(1) A person to whom the Act applies in consequence of an accident happening before the 1st January, 1924, or in consequence of two or more accidents all of which happened before that date, shall be disqualified from receiving an allowance for any period during which he is not ordinarily resident in Northern Ireland:

Provided that where he has been awarded an allowance and then ceases to be ordinarily resident in Northern Ireland he shall not be disqualified from receiving an allowance under this regulation if he satisfies the determining authority that the incapacity resulting from the relevant accident or accidents is likely to be of a permanent nature.

(2) A person to whom the Act applies in consequence of an accident happening after the 31st December, 1923, or in consequence of two or more accidents at least one of which happened after that date, shall be disqualified from receiving an allowance for any period during which he is not ordinarily resident in the United Kingdom:

Provided that he shall not be disqualified from receiving an allowance under this regulation for any period during which he remains entitled to weekly payments by way of workmen's compensation in respect of the relevant accident or accidents or, if he has ceased to be so entitled, satisfies the determining authority that the incapacity resulting therefrom is likely to be of a permanent nature.

(3) A person shall not be disqualified from receiving an allowance under this regulation for any period during which he remains entitled to payments under the Supplementation Act.

(4) For the purposes of this regulation, references to the happening of an accident shall, in relation to a case of disease, be construed in the same way as for the purposes of the Acts relating to workmen's compensation.

Allowances during imprisonment

4.—(1) Where a person has become entitled, in respect of a period or any part of a period during which he is and has continuously been undergoing imprisonment or detention in legal custody, to sums by way of allowance which, in the aggregate, either—

(*a*) equal the total amount payable by way of an allowance for a period of one year, or

(*b*) together with any sums payable under the Supplementation Act, in respect of such period of imprisonment or detention in legal custody amount to one hundred pounds;

that person shall be disqualified from receiving any further sums by way of allowance in respect of such period or any part thereof.

(2) The provisions of paragraphs (2) and (3) of regulation 25 of the National Insurance (Industrial Injuries) (Benefit) Regulations (Northern Ireland), 1948(a) (which paragraphs relate to the suspension of payment of benefit during periods of imprisonment or detention in legal custody) shall be applicable with the necessary modifications to the payment of an allowance as the same apply to benefit under the Industrial Injuries Act.

PART III

CLAIMS AND PAYMENTS

Information to be given when making a claim for an allowance

5. Every person who makes a claim for an allowance shall furnish to the Ministry such certificates, documents, information and evidence for the purpose of determining the claim as may reasonably be required by the Ministry and, if so required, shall for that purpose attend at such office or place as the Ministry may direct.

Obligation of beneficiaries to notify change of circumstances

6. Every beneficiary shall, as soon as may be practicable, notify the Ministry in writing of any change of circumstances which he might reasonably be expected to know might affect the continuance of his right to an allowance awarded to him or to the receipt thereof.

Information to be given when obtaining payment of an allowance

7. Every beneficiary and every person by whom or on whose behalf sums by way of an allowance are receivable shall furnish in such manner and at such times as the Ministry may determine such certificates and other documents and such information of facts affecting the right to an allowance or to the receipt thereof as the Ministry may reasonably require.

Time and manner of payment of an allowance

8.—(1) Subject to the provisions of this regulation, an allowance shall be paid weekly in advance by means of allowance orders payable in each case to the beneficiary, at such post office as the Ministry, after enquiry of the beneficiary, may from time to time determine.

(2) In every case in which there is an award of an allowance the Ministry shall cause arrangements to be made whereby, on furnishing such evidence as to identity and such other particulars as may be required, the beneficiary may obtain a book of allowance orders, and the Ministry shall notify the beneficiary of the arrangements so far as they affect him.

(a) S.R. & O. 1948. No. 203.