SECOND SCHEDULE

Regulation 5.

REGULATION 23 OF THE NATIONAL INSURANCE (CONTRIBUTIONS) REGULATIONS (NORTHERN IRELAND), 1948, AS AMENDED*

Treatment for the purpose of maternity benefit of late paid contributions

23.—(1) For the purpose of any right to a maternity allowance, a contribution under the Act paid after the due date shall be treated —

(*a*) if paid before the expiry of the maternity allowance period or the period of four weeks after the date on which the claim for the allowance is made (whichever period ends later)—as paid on the due date ;

(*b*) if paid after the expiry of whichever of the said periods ends later—as not paid ;

and, for the purposes of this paragraph, the expression " the maternity allowance period " means the period mentioned in subsection (2) of section 14 of the Act or, in a case in relation to which that subsection is modified in accordance with regulations made under subsection (6) of that section, the period mentioned in the said subsection (2) as so modified.

(2) For the purpose of any right to a maternity grant, a contribution under the Act paid after the due date shall be treated —

(*a*) if paid before the expiry of the period of three months after the date of confinement—as paid on the due date ;

(*b*) if paid after the expiry of the said period of three months—as not paid :

Provided that in determining whether the relevant contribution conditions are satisfied as respects the number of contributions paid or credited in respect of the last complete contribution year before *the beginning of the benefit year comprising the relevant time* such a contribution shall, in such cases as the Ministry may in special circumstances allow, be treated as paid on the due date.

(3) For the purpose of the proviso to sub-paragraph (*b*) of paragraph (2) of this regulation the expression " relevant time " has the same meaning as in paragraph 2 of the Third Schedule to the Act.

* The words substituted by these regulations are shown in italics.

Hospital In-Patients

REGULATIONS, DATED 23RD JANUARY, 1953, MADE BY THE NATIONAL INSURANCE JOINT AUTHORITY, IN CONJUNCTION WITH THE MINISTRY OF FINANCE, UNDER THE NATIONAL INSURANCE ACT (NORTHERN IRELAND), 1946.

1953. No. 22

The National Insurance Joint Authority, in conjunction with the Ministry of Finance, in exercise of the powers conferred by section 29

of the National Insurance Act (Northern Ireland), 1946 (**a**), and of all other powers enabling them in that behalf, hereby make the following regulations :—

Citation, interpretation and commencement

1. These regulations, which may be cited as the National Insurance (Hospital In-Patients) Amendment Regulations (Northern Ireland), 1953, shall be read as one with the National Insurance (Hospital In-Patients) Regulations (Northern Ireland), 1949 (**b**), as amended (**c**) (hereinafter referred to as " the principal regulations ") and shall come into operation on the 2nd February, 1953.

Amendment of Part I of the principal regulations

2. In paragraph (2) of regulation 1 of the principal regulations (which makes provision for their interpretation), after the definition of " free in-patient treatment ", the following definition shall be inserted :—

" ' prescribed accommodation ' means, in relation to any person, any residential accommodation provided for that person under the Welfare Services Act (Northern Ireland), 1949 (**d**) ; ".

Amendment of Part II of the principal regulations

3.—(1) Regulation 5 of the principal regulations (which relates to reduction, by reason of the receipt of free in-patient treatment, of the weekly rates of certain personal benefits) shall be amended in accordance with the following provisions of this regulation, and shall accordingly have effect as set out in the schedule to these regulations.

(2) In sub-paragraph (*b*) of paragraph (3) of the said regulation 5 the words " as an inmate " shall be omitted and, for the words " an institution (not being a hospital or similar institution) administered by or under the Ministry of Health and Local Government or a local authority ", there shall be substituted the words " any prescribed accommodation ".

(3) At the end of sub-paragraph (*c*) of the said paragraph (3), there shall be added the following proviso :—

" Provided that —

(i) the payment of any benefit to which the last preceding sub-paragraph applies shall be suspended while the beneficiary is again receiving free in-patient treatment or is residing in any prescribed accommodation ; and

(a) 1946. c.23.
(b) S. R. & O. (N.I.) 1949. No. 161.
(c) Regs. 20 and 21, National Insurance (Increase of Benefit, Re-entry into Regular Employment and Miscellaneous Provisions) Regulations (Northern Ireland), 1951 (S.R. & O. (N.I.) 1951. No. 154) and Reg. 10, National Insurance (Increase of Benefit and Miscellaneous Provisions) Regulations (Northern Ireland), 1952 (S. R. & O. (N.I.) 1952. No. 137) ; S. R. & O. (N.I.) 1949. No. 162 ; S. R. & O. (N.I.) 1952. No. 147.
(d) 1949. c.1.

(ii) where a person again receives free in-patient treatment for any period in relation to which the provisions of sub-paragraph (*b*) of this paragraph apply, the amount of any benefit which would be payable to him under those provisions in respect of that period shall be reduced or extinguished by the deduction therefrom of the amount of any benefit which, at the commencement of that period, either was payable to him under those provisions in respect of any earlier period and was unpaid, or would have been so payable to him under those provisions if he had then satisfied the conditions for the receipt thereof."

Amendment of Part III of the principal regulations

4.—(1) Regulation 8 of the principal regulations (which specifies the persons constituting " dependants ") shall be amended in accordance with the following provisions of this regulation, and shall accordingly have effect as set out in the schedule to these regulations.

(2) At the end of the said regulation 8, there shall be added the following proviso :—

" Provided that, if the husband or wife of the beneficiary is temporarily absent from Northern Ireland for the specific purpose of being treated for incapacity which commenced before he or she left Northern Ireland, then, in determining for the purposes of the foregoing provisions of this regulation whether any benefit is, or would be, payable, that absence from Northern Ireland (and any absence of claim for benefit) shall be disregarded."

5. Regulation 11 of the principal regulations shall be omitted.

6.—(1) Regulation 12 of the principal regulations (which relates to the calculation of periods) shall be amended in accordance with the following provisions of this regulation, and shall accordingly have effect as set out in the schedule to these regulations.

(2) In paragraph (2) of the said regulation 12, the words " as an inmate " shall be omitted and, for the words " an institution (not being a hospital or similar institution) administered by or under the Ministry of Health and Local Government or a local authority ", there shall be substituted the words " any prescribed accommodation ".

(3) At the end of the said paragraph (2), there shall be added the following proviso :—

" Provided that,—

(*a*) where any such person has ceased to reside in any prescribed accommodation after it has been decided by the appropriate authority that he should be permitted to reside there otherwise than temporarily, the period of that residence (whatever its duration) shall be deemed to have been a period of fifty-two weeks ; and