Ireland), 1946, and of all other powers enabling it in that behalf, hereby makes the following regulations :—

Citation, interpretation and commencement

1. These regulations, which may be cited as the National Insurance (General Benefit) Amendment (No. 2) Regulations (Northern Ireland), 1949, shall be read as one with the National Insurance (General Benefit) Regulations (Northern Ireland), 1948, as amended (hereinafter referred to as " the principal regulations ") and shall come into operation on the 1st November, 1949.

Amendment of the principal regulations

2. The following paragraph shall be added after paragraph (8) of regulation 8 of the principal regulations :—

" (8A) The provisions of the last preceding paragraph shall, subject to the necessary modifications, apply in a case in which a claim for sickness benefit has been made in accordance with the provisions of paragraph (4) of regulation 15 of the National Insurance (Claims and Payments) Regulations (Northern Ireland), 1948, as amended, and in which, under arrangements made by the Ministry with the consent of the Ministry of Finance, payment by way of sickness benefit has been made to the claimant pending the determination of that claim."

Sealed with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this 31st day of October, 1949, in the presence of

(L.S.) *William Allen*,
Assistant Secretary to the Ministry of Labour and National Insurance for Northern Ireland.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 31st day of October, 1949, in the presence of

(L.S.) *John I. Cook*,
Second Secretary to the Ministry of Finance for Northern Ireland.

Hospital In-Patients Regulations (Northern Ireland), 1949

REGULATIONS, DATED 18TH AUGUST, 1949, MADE BY THE NATIONAL INSURANCE JOINT AUTHORITY, IN CONJUNCTION WITH THE MINISTRY OF FINANCE, UNDER THE NATIONAL INSURANCE ACT (NORTHERN IRELAND), 1946.

Amended 1949 SR&O (N.I.) No. 162

1949. No. 161

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, and of all other powers enabling them in that behalf, hereby make the following regulations :—

PART I

GENERAL

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the National Insurance (Hospital In-Patients) Regulations (Northern Ireland), 1949, and shall come into operation on the 5th September, 1949.

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

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

" the Ministry " means the Ministry of Labour and National Insurance for Northern Ireland ;

" benefit " means benefit under the Act ;

" beneficiary " means, in relation to any benefit, the person to whom that benefit is or, but for the provisions of these regulations, would be payable ;

" personal benefit " means that benefit which, apart from these regulations, is payable to a person otherwise than in respect of another person who is a child or an adult dependant ;

" dependency benefit " means that benefit which, apart from these regulations, is payable to a person in respect of another person who is a child or an adult dependant ;

" widow's basic pension " and " contributory old age pension " have the same meanings as in the National Insurance (Pensions, Existing Beneficiaries and Other Persons) (Transitional) Regulations (Northern Ireland), 1948 ;

" tuberculosis patient " means a person (not being a person under treatment in a mental hospital within the meaning of the Mental Health Act (Northern Ireland), 1948, or in an institution for persons requiring special care within the meaning of that Act) who is under treatment for tuberculosis of the respiratory system ;

" hospital or similar institution " means, —

(*a*) in relation to any period before the appointed day, a hospital or similar institution maintained or administered by a local authority or by or on behalf of the Minister of Pensions or a hospital or similar institution not so maintained or administered in which, pursuant to arrangements made by the Minister of Pensions, accommodation and medical, nursing or other services are provided ; or

(*b*) in relation to any other period, a hospital or similar institution maintained or administered by or on behalf of the Minister of Pensions or under the Health Services Act (Northern Ireland), 1948, or a hospital or similar institution not so maintained or administered in which, pursuant to arrangements made by the Northern Ireland Hospitals Authority constituted under that Act or by the Minister of Pensions, accommodation and medical, nursing or other services are provided ;

" free in-patient treatment " means, in relation to any person, —

(*a*) medical or other treatment as an in-patient in a hospital or similar institution (being a hospital or similar institution maintained or administered by a local authority or by or on behalf of the Minister of Pensions or under the Health Services Act (Northern Ireland), 1948) in which, throughout the period of that treatment, that person is or has been maintained free of charge ; or

(*b*) medical or other treatment as an in-patient in a hospital or similar institution in which, throughout the period of that treatment, that person is or has been maintained free of charge pursuant to arrangements made by the Northern Ireland Hospitals Authority constituted as aforesaid or by the Minister of Pensions ;

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

(3) References in these regulations to any enactment or regulations shall include references to such enactment or regulations as amended by any subsequent enactment, order or regulations.

(4) The Interpretation Act, 1889, applies for the purpose of the interpretation of these regulations in like manner as it applies for the purpose of the interpretation of an Act of the Parliament of Northern Ireland.

Part II

Adjustment of benefit

2. The provisions of this Part of these regulations shall have effect subject to the provisions of Part III and Part IV.

Personal benefit

3.—(1) Where the conditions for the receipt of personal benefit by way of sickness benefit, widow's allowance, widowed mother's allowance, widow's pension, retirement pension, widow's basic pension or contributory old age pension are satisfied in relation to any person who receives, or has received, continuously, for a period exceeding eight weeks, free in-patient treatment, the weekly rate of that personal benefit which, but for the provisions of these regulations, would be payable for any period after the first eight weeks of that treatment shall

be reduced subject to and in accordance with the following provisions of these regulations.

(2) In any case in which the provisions of paragraph (1) of this regulation apply in relation to any of the said personal benefits except widow's basic pension and contributory old age pension, the weekly rate of any reduction of that personal benefit shall, subject to the provisions of paragraph (4) of this regulation, be determined, for any part of the period of free in-patient treatment which occurs during the forty-four weeks next following the first eight weeks thereof, in accordance with the provisions of regulation 4, and, for any part of the period of that treatment which occurs after the first fifty-two weeks thereof, in accordance with the provisions of regulation 5.

(3) In any case in which the provisions of paragraph (1) of this regulation apply in relation to any personal benefit by way of widow's basic pension or contributory old age pension, there shall not be any reduction of that personal benefit under these regulations unless the beneficiary receives, or has received, continuously free in-patient treatment for a period exceeding fifty-two weeks, and in that event the weekly rate of any reduction of that personal benefit shall, subject to the provisions of paragraph (4) of this regulation, be determined, for any part of the period of that treatment which occurs after the first fifty-two weeks thereof and during which the beneficiary has not a dependant, in accordance with the provisions of paragraph (1) of regulation 5.

(4) In any case where a reduction of personal benefit at a rate determined in accordance with the provisions of regulation 4 or paragraph (2) or paragraph (3) of regulation 5 would reduce the rate of that personal benefit, where the beneficiary is a tuberculosis patient, to less than ten shillings a week, or, in any other case, to less than five shillings a week, the reduction of that personal benefit shall not be as so determined but shall be such (if any) as will reduce the rate of that personal benefit, where the beneficiary is a tuberculosis patient, to ten shillings a week, or, in any other case, to five shillings a week.

4. Where, by virtue of the provisions of paragraph (2) of regulation 3, the weekly rate of any reduction of personal benefit is to be determined for any period in accordance with the provisions of this regulation, that reduction shall be, —

(*a*) for any part of that period during which the beneficiary has a dependant, at the rate of five shillings a week; and

(*b*) for any other part of that period, at the rate of ten shillings a week.

5.—(1) Where, by virtue of the provisions of paragraph (2) or paragraph (3) of regulation 3, the weekly rate of any reduction of personal benefit is to be determined for any period in accordance with the