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Airmen

REGULATIONS, DATED 1ST JULY, 1948, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE UNDER THE NATIONAL INSURANCE (INDUSTRIAL INJURIES) ACT (NORTHERN IRELAND), 1946.

1948. No. 206

The Ministry of Labour and National Insurance, in exercise of the powers conferred by section 76 and section 32 of the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946, and of all other powers enabling it in that behalf, hereby makes the following regulations:—

Citation, commencement and interpretation.

1.—(1) These regulations may be cited as the National Insurance (Industrial Injuries) (Airmen) Regulations (Northern Ireland), 1948, and shall come into operation on the 1st July, 1948.

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

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

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

"airman" means a person who is an insured person under the Act by virtue of paragraph 5 of Part I of the First Schedule thereto;

" prescribed disease " means a disease or injury prescribed for the purposes of Part IV of the Act;

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, 1921, applies to the interpretation of these regulations as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

Insurance of airmen.

2. An airman who neither is domiciled nor has a place of residence in the United Kingdom shall be excepted from insurance under the Act in respect of his employment as such airman, and the consequent provisions of these regulations shall not apply to such an airman:

Provided that this regulation shall have effect subject to any Order in Council giving effect to any reciprocal agreement made under section 84 of the Act (which section relates to reciprocal agreements with Dominions, colonies and foreign countries).

Accidents happening and diseases contracted outside Northern Ireland.

3.—(1) Benefit shall be payable, subject to and in accordance with the provisions of the Act, in respect of an accident arising out of and in the course of, or a prescribed disease due to the nature of, the insurable employment of any person as an airman notwithstanding that the accident happens or the disease is contracted while such person is outside Northern Ireland.

(2) The provisions of this regulation shall be extended to any person who, in the course of insurable employment, is on board an aircraft on a test flight starting in Northern Ireland whether or not he is an airman within the meaning of these regulations.

Special provisions as to benefit in the case of pilots, commanders, navigators and members of the crew of aircraft.

4. The provisions of Part II of the Act (which relates to benefit) shall in their application to a person insured as an airman by virtue of employment as a pilot, commander, navigator or member of the crew of an aircraft to which paragraph 5 of Part I of the First Schedule to the Act applies, have effect subject to the following modifications:—

(*a*) Where the airman, having been left outside the United Kingdom on account of illness, injury, risk of infection or loss of or damage to the aircraft in which he was employed, subsequently returns to the United Kingdom at the expense of the employer in whose service he was up to the time of being so left, an accident happening to him while so returning shall, notwithstanding that during that time he renders no services and receives no wages, be deemed to arise out of and in the course of his employment as such airman if it would have been deemed so to have arisen had the return journey been undertaken in pursuance of an obligation under his contract of service with the employer aforesaid.