Deposit Contributors.

THE NATIONAL HEALTH INSURANCE (DEPOSIT CONTRIBUTORS INSURANCE SECTION) REGULATIONS (NORTHERN IRELAND), 1939, DATED 19TH DAY OF AUGUST, 1939, MADE BY THE NATIONAL HEALTH INSURANCE JOINT COMMITTEE AND THE MINISTRY OF LABOUR FOR NORTHERN IRELAND UNDER THE NATIONAL HEALTH INSURANCE ACT, 1936.

1939. No. 128.

The National Health Insurance Joint Committee and the Ministry of Labour for Northern Ireland, acting jointly, in exercise of the powers conferred on them by section 123 of the National Health Insurance Act, 1936, and of all other powers enabling them in that behalf, hereby make the following regulations :—

Short title and date of operation.

1.—These regulations may be cited as the National Health Insurance (Deposit Contributors Insurance Section) Regulations (Northern Ireland), 1939, and shall (except as otherwise provided) come into operation forthwith.

Interpretation

2.—(1) In these regulations, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them :—

" the Act " means the National Health Insurance Act, 1936, as amended by any subsequent enactment;

" the Ministry " means the Ministry of Labour for Northern Ireland;

" the Joint Committee " means the National Health Insurance Joint Committee;

" the Insurance Section " means the Deposit Contributors Insurance Section;

" employed " means employed within the meaning of the Act;

" society " means an approved society, and includes a branch of a society.

(2) The Interpretation Act, 1921, applies to the Interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

Manner of application for admission to the Insurance Section.

3.—(1) Application to the Ministry for admission to membership of the Insurance Section shall be made in writing and in the form set out in the First Schedule to these regulations, or in such other form substantially to the like effect as the Ministry may from time to time determine.

(2) Every applicant shall furnish to the Ministry such information with respect to his age, employment, and state of health, and as to any application made by him for admission to a society which has been rejected, and such other information as the Ministry may

require for the purpose of considering his application for admission to membership of the Insurance Section.

(3). The Ministry shall, as soon as may be, inform the applicant in writing whether his application has been granted or refused.

Time for applying for admission to the Insurance Section.

4.—The time within which a deposit contributor may apply to be admitted to membership of the Insurance Section shall be—

(*a*) in the case of a person who, being insured in the Isle of Man or in Eire, becomes resident and employed in Northern Ireland and becomes a deposit contributor in accordance with arrangements made under proviso (*b*) to subsection (1) of section 66 or subsection (1) of section 67 of the Act, the period of one year as from the date of his becoming a deposit contributor;

(*b*) in the case of any other person, the period of two years reckoned from the date of his entry into insurance :

Provided that—

(i) no person shall be admitted to membership unless his application for admission is received by the Ministry before the date on which he attains the age of sixty-five;

(ii) in the case of an exempt person who becomes insured, paragraph (*b*) shall apply with the substitution for the reference to the date of his entry into insurance of a reference to the date on which he would, on his becoming employed, have entered insurance if he had not obtained a certificate of exemption;

(iii) the Ministry may, in any particular case in which it is satisfied that a person was unable by reason of bodily or mental disability or for some other sufficient cause to apply within the time prescribed under this regulation, extend the time to such later date as it may determine so, however, that, except in the case of mental disability, the time shall not be extended for a period of more than six months;

(iv) in any case in which there has been delay in commencing the payment of contributions after a person's entry into insurance, the Ministry may for the purpose of paragraph (*b*), if in its opinion the circumstances of the case so justify, treat the date on which contributions commenced to be paid as the date of that person's entry into insurance.

Conditions for admission to the Insurance Section.

5.—The conditions upon which a deposit contributor may be admitted to membership of the Insurance Section shall be—

(*a*) that he is insured as an employed contributor;

(*b*) that within the period within which under the last preceding regulation he was required to make application for admission to membership, or, if he satisfies the Ministry that at any time during that period he was rendered incapable of work by some specific disease or by bodily or mental disablement, during that period as extended by the period of such incapacity, he has been employed for not less than twenty-six weeks and not less than twenty-six weekly contributions have been paid for weeks during which services were rendered by him as an employed contributor; and

(*c*) that he has not since his entry into insurance been a member of a society.

Date of admission to membership of the Insurance Section

6.—A deposit contributor who has made application to the Ministry in the manner prescribed by these regulations shall become a member of the Insurance Section as from the date on which he satisfies the Ministry that the conditions set out in the last preceding regulation have been fulfilled in his case, and that he is unable to secure admission to a society on account of his state of health.

Regulations 3, 4, 5 and 6 not to apply in certain cases.

7.—Regulations 3, 4, 5 and 6 of these regulations shall not apply to a deposit contributor, who is transferred to the Insurance Section under the provisions of any regulations for the time being in force made under section 124 of the Act.

Provision as to administration of benefits.

8.—The benefits, other than medical benefit, to which members of the Insurance Section are entitled shall be administered by the Ministry in accordance with the rules set out in the Second Schedule to these regulations, and the members of the Insurance Section shall be subject to those rules.

Termination of membership of the Insurance Section.

9.—(1) If the state of health of any member of the Insurance Section is no longer such as to disqualify him for admission to a society, the Ministry may terminate his membership of the Insurance Section :

Provided that for the purpose of affording the member adequate opportunity of securing admission to a society the Ministry shall, not less than three months before terminating his membership, give notice to the member of its intention so to do.

(2) Any notice required to be given to a member under this regulation shall be deemed to have been sufficiently given if sent by post addressed to him at his last known place of abode.

Application of provisions of the Act relating to societies to

10.—(1) Such of the provisions of the Act (other than those set out in the Third Schedule to these regulations) and of the regulations made thereunder as relate to societies and to members and member-

the Insurance Section and exception of provisions of the Act relating to deposit contributors.

ship of, and transfers to and from, societies shall, except in so far as they are inconsistent with these regulations, apply to the Insurance Section and to members and membership of, and transfers to and from, the Insurance Section as if that section were a society, subject, however, to the following modifications, that is to say—

(*a*) any provision requiring notice to be given by or to a society or by or to the committee of management of a society or requiring any other act or thing to be done by or to the society or committee of management shall be construed as requiring such notice, act or thing to be given or done by or to the Ministry;

(*b*) no part of the sums carried to the credit of the Insurance Section in the Investment Account shall be paid over to the Insurance Section for investment, but the whole shall remain to the credit of the Insurance Section in that account;

(*c*) every valuation of the assets and liabilities of the Insurance Section instead of being made on the prescribed basis shall be made on such basis as the Joint Committee after consultation with the Actuary appointed by the Minister of Finance may determine;

(*d*) a nomination made by a member of the Insurance Section while a deposit contributor prior to his admission to membership of the Insurance Section shall operate upon any sum payable to him by way of benefit and unpaid at the date of his death;

(*e*) section 149 of the Act (relating to transfers to the Reserve Suspense Fund in respect of persons attaining the age of sixty-five) shall have effect as if for the words "attains the age of sixty-five years" in that section the words "attains or has attained the age of sixty-five years" were substituted.

(2) (*a*) There shall be retained for the purposes of the Unemployment Arrears Fund out of each weekly contribution paid by or in respect of an insured person who is a member of the Insurance Section the sum which would be applicable if such person were a member of a society.

(*b*) This paragraph shall be deemed to have had effect as from the 2nd July, 1934.

(3) A person who at the date of his becoming a man of the forces is a member of the Insurance Section shall thereupon cease to be a member of the Insurance Section and shall become entitled to benefits out of the Navy, Army and Air Force Insurance Fund,

and there shall be transferred to that fund and debited to the Insurance Section a transfer value in respect of him, and the provisions of section 131 of the Act (relating to the Navy, Army and Air Force Insurance Fund) shall, with the necessary modifications, apply to him.

(4) The provisions of the Act relating to deposit contributors shall not, except in so far as they are expressly made applicable by these regulations, apply to members of the Insurance Section.

Decision of disputes.

11.—(1) A decision of the Ministry on the question whether a person is or was entitled to be admitted to membership of the Insurance Section shall be final and conclusive.

(2) Save as aforesaid, every question arising between the Ministry and a member of the Insurance Section or a person who has ceased to be a member or a person claiming through such member or person, relating to anything done or omitted to be done by that member or person or the Ministry under the Act or the regulations made thereunder shall be referred to arbitration in the manner provided in the rules relating to the decision of disputes contained in the Second Schedule to these regulations.

(3) In the event of such member or person or the Ministry desiring to appeal from the decision of the arbitrator an appeal shall lie to the Joint Committee who for this purpose shall have all the powers and duties of the Ministry under any regulations relating to appeals under section 163 of the Act (relating to decision of disputes) for the time being in force, and the provisions of those regulations shall apply accordingly with the substitution of the Joint Committee for the Ministry and subject to the modification that application for leave to appeal shall be made to and determined by the referee to whom the matter is assigned by the Joint Committee and shall not be made to or determined by the Joint Committee. The decision of the referee shall be final and conclusive.

Revocation of existing Regulations.

12.—The National Health Insurance (Deposit Contributors Insurance Section) Regulations (Northern Ireland), 1929(a), the National Health Insurance (Deposit Contributors Insurance Section) Amendment Regulations (Northern Ireland), 1930(b), and the National Health Insurance (Deposit Contributors Insurance Section) Amendment Regulations (Northern Ireland), 1936(c), are hereby revoked but without prejudice to anything duly done or suffered, or to any right, privilege, obligation or liability acquired, accrued or incurred, thereunder.

(a) S.R. & O. of Northern Ireland, 1929, No. 15.
(b) S.R. & O. of Northern Ireland, 1930, No. 129.
(c) S.R. & O. of Northern Ireland, 1936, No. 103.