Reference to Medical Referee.

MADE BY THE MINISTRIES OF LABOUR AND FINANCE FOR NORTHERN IRELAND AS TO THE DUTIES AND FEES OF CERTIFYING SURGEONS, AND AS TO REFERENCES TO, AND REMUNERATION AND EXPENSES OF, MEDICAL REFEREES IN NORTHERN IRELAND UNDER SECTIONS 8 AND 10 OF THE WORKMEN'S COMPENSATION ACT, 1906, (6 EDW. 7, C. 58), AND PURSUANT TO THE GOVERNMENT OF IRELAND ACT, 1920, AND THE SEVERAL ORDERS MADE THEREUNDER.

1924. No. 30.

In pursuance of the powers conferred by Section 8, sub-section (1) (f) and Section 10, sub-section (1) of the Workmen's Compensation Act, 1906, and of the Government of Ireland Act, 1920, and the several Orders made thereunder, the Ministry of Labour and the Ministry of Finance for Northern Ireland hereby make the following regulations amending the Regulations dated June 29, 1907 (a), made by the Secretary of State and the Treasury and revoking the Regulations dated February 22, 1923 (b), made by the Ministry of Labour and the Ministry of Finance for Northern Ireland as to the duties and fees of Certifying and other Surgeons, and as to references to, and remuneration and expenses of, Medical Referees in Ireland, in so far as the said Regulations apply to Northern Ireland.

1. The period of seven days fixed by No. 8 of the Regulations dated June 29, 1907 (a), within which an employer or workman aggrieved by the action of a certifying or appointed surgeon may apply to the clerk of the Crown and Peace for the matter to be referred to a medical referee shall be extended to ten days, without prejudice, however, to the power of the clerk of the Crown and Peace to extend the period by not more than seven days as provided by the said Regulation.

2. No. 13 of the said Regulations is hereby annulled and the following Regulation shall be substituted therefor :—

"In the case of any reference under these Regulations the medical referee shall, except as hereinafter provided, be one of those appointed prior to January 1, 1922, by the Secretary of State or subsequently by the Ministry of Labour for Northern Ireland for the county in which the case arises : Provided that—

(a) if a medical referee has been specially appointed by the Secretary of State or the Ministry of Labour, for the purpose of deciding in any specified case or class of

(a) S.R. & O., 1907, No. 514. (b) S.R. & O. of N.I., 1923, No. 9.

cases in which a reference may be made under these Regulations, the reference in any such case shall be made to the medical referee so appointed ;

(b) if the surgeon by whose action the applicant is aggrieved has been appointed a medical referee, the reference shall not be made to him but to such other medical referee as may be authorised to act."

3. No. 16 of the said Regulations and the Regulation dated February 22, 1923, and the forms prescribed thereunder are hereby annulled and the following Regulation and the forms set out in the schedule hereto shall be substituted therefor :—

" The medical referee shall, in such one of the forms prescribed in the schedule hereto as may be appropriate, notify in writing his decision to the clerk of the crown and peace, to the applicant, and to the respondent, and give a certificate (as required by Section 11 (2) of the Workmen's Compensation Act (Northern Ireland), 1923, (a) as to the condition of the workman at the time of his examination."

4. These Regulations shall come into force on 1st May, 1924.

Given under the Seal of the said Ministries this 12th day of April, 1924.

H. Conacher,
(L.S.) Assistant Secretary, Ministry of Labour, Northern Ireland.

G. C. Duggan,
(L.S.) Assistant Secretary, Ministry of Finance, Northern Ireland.

SCHEDULE.

FORM 5 (i).

Workmen's Compensation Acts (Northern Ireland), 1906 *to* 1923.

DECISION OF MEDICAL REFEREE UNDER SECTION 8 (1) (f) OF THE WORKMEN'S COMPENSATION ACT, 1906, DISMISSING AN APPEAL AGAINST THE ACTION OF THE CERTIFYING OR OTHER SURGEON IN GIVING OR REFUSING TO GIVE A CERTIFICATE OF DISABLEMENT, TOGETHER WITH CERTIFICATE OF MEDICAL REFEREE UNDER SECTION 11 (2) OF THE WORKMEN'S COMPENSATION ACT (NORTHERN IRELAND), 1923, AS TO THE PRESENT CONDITION OF THE WORKMAN.

(a) 13 and 14 Geo. 5, Ch. 33.

Decision under Section 8 (1) (*f*) *of the Workmen's Compensation Act*, 1906.
(*Heading as in the application for the Reference*).

I hereby give you notice that having duly inquired into the above-mentioned matter in accordance with the Regulations of the Secretary of State and of the Ministry of Labour for Northern Ireland, I decide as follows :—

I dismiss the appeal of (*name of employer*) against the certificate of disablement given to (*name of workman*) on the day of

or

I dismiss the appeal of (*name of workman*) against the refusal of (*name of surgeon*) to give him a certificate of disablement in respect of (*name of disease*).

Certificate under Section 11 (2) *of the Workmen's Compensation Act* (*Northern Ireland*), 1923, *as to the workman's present condition*.

And I hereby certify that the present condition of the workman as ascertained by my examination is as follows :—*

Dated this day of

(Signed)

Medical Referee.

To

* Here state whether the workman is or is not suffering from the disease and if he is so suffering, whether he is thereby disabled from earning full wages at the work at which he was employed.

FORM 15 (ii).

Workmen's Compensation Acts (*Northern Ireland*), 1906 *to* 1923.

DECISION OF MEDICAL REFEREE UNDER SECTION 8 (1) (f) OF THE WORKMEN'S COMPENSATION ACT, 1906, ALLOWING AN APPEAL AGAINST THE ACTION OF THE CERTIFYING OR OTHER SURGEON IN GIVING OR REFUSING TO GIVE A CERTIFICATE OF DISABLEMENT, TOGETHER WITH CERTIFICATE OF MEDICAL REFEREE UNDER SECTION 11 (2) OF THE WORKMEN'S COMPENSATION ACT (NORTHERN IRELAND), 1923, AS TO THE PRESENT CONDITION OF THE WORKMAN.

Decision under Section 8 (1) (*f*) *of the Workmen's Compensation Act*, 1906.
(*Heading as in the application for the Reference*).

I hereby give you notice that having duly inquired into the above-mentioned matter in accordance with the Regulations of the Secretary of State and of the Ministry of Labour for Northern Ireland, I decide as follows :—

I find that the said (*name of workman*) was not, at the time of his examination by the Certifying Surgeon, suffering from (*name of disease*)

or

I find that the said (*name of workman*) was, at the time of his examination by the Certifying Surgeon, suffering from (*name of disease*),

but that he was not thereby disabled from earning full wages at the work at which he was employed.

or

I find that the said (*name of workman*) was, at the time of his examination by the Certifying Surgeon, suffering from (*name of disease*),

and was thereby disabled from earning full wages at the work at which he was employed. And I fix the day of as the date on which the disablement from the said disease commenced.

Certificate under Section 11 (2) *of the Workmen's Compensation Act (Northern Ireland)*, 1923, *as to workman's present condition.*

And I hereby certify that the present condition of the workman as ascertained by my examination is as follows :—*

Dated this day of

(Signed)

Medical Referee.

To

* Here state whether the workman is or is not suffering from the disease, and if he is so suffering, whether he is thereby disabled from earning full wages at the work at which he was employed.

FORM 15 (iii).

Workmen's Compensation Acts (Northern Ireland), 1906 *to* 1923.

DECISION OF MEDICAL REFEREE UNDER SECTION 8 (1) (f) OF THE WORKMEN'S COMPENSATION ACT, 1906, DISMISSING OR ALLOWING AN APPEAL AGAINST THE ACTION OF THE CERTIFYING OR OTHER SURGEON IN SUSPENDING OR REFUSING TO SUSPEND THE WORKMAN, TOGETHER WITH CERTIFICATE OF MEDICAL REFEREE UNDER SECTION 11 (2) OF THE WORKMEN'S COMPENSATION ACT (NORTHERN IRELAND), 1923, AS TO THE PRESENT CONDITION OF THE WORKMAN.

Decision under Section 8 (1) (*f*) *of the Workmen's Compensation Act*, 1906.
(*Heading as in the application for the Reference*).

I hereby give you notice that having duly inquired into the above-mentioned matter in accordance with the Regulations of the Secretary of State and of the Ministry of Labour for Northern Ireland, I decide as follows :—

I dismiss (or allow) the appeal of ..... (*name of employer*) against the suspension of ..... (*name of workman*) on the ..... day of .....

or

I dismiss (or allow) the appeal of ..... (*name of workman*) against the refusal of ..... (*name of surgeon*) to suspend him on the ..... day

Certificate under Section 11 (2) *of the Workmen's Compensation Act (Northern Ireland)*, 1923, *as to workman's present condition.*

* Here state whether the workman is or is not suffering from the disease, and if he is so suffering, whether he is thereby disabled from earning full wages at the work at which he was employed.

And I hereby certify that the present condition of the workman as ascertained by my examination is as follows :—*

Dated this ..... day of .....

(Signed) .....

Medical Referee.

To .....