3. APPROVED SOCIETIES

The National Insurance (Approved Societies) Regulations, 1948

1948 No. 563

Made - - - -	*22nd March*, 1948
Laid before Parliament	*23rd March*, 1948
Coming into Operation	*25th March*, 1948

122.

The National Insurance Joint Authority, acting in conjunction with the Treasury, in exercise of the powers conferred by section 69 of the National Insurance Act, 1946, and of all other powers enabling them in that behalf, hereby make the following regulations:—

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Citation, commencement and interpretation.

1.—(1) These regulations may be cited as the National Insurance (Approved Societies) Regulations, 1948, and shall come into operation on the 25th March, 1948.

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

" the Act " means the National Insurance Act, 1946;

" the Insurance Act " means the National Health Insurance Act, 1936;

26 Geo. 5 & 1 Edw. 8. c. 32.

" the Minister " means the Minister of National Insurance;

" the Ministry " means the Ministry of National Insurance;

" society " means an approved society;

" branch " means a branch for the purposes of the Insurance Act;

" local office " means a local office of the Ministry;

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

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

52 & 53 Vict. c. 63.

(4) The Interpretation Act, 1889, applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

Transfer of administration of benefits from societies to local office of the Ministry in accordance with arrangements made by Minister.

2.—(1) If by reason of the passing of the Act it appears to the Minister that it is expedient, for the purpose of facilitating the introduction of the system of insurance established by the Act, that the administration of the benefits under the Insurance Act (other than the additional benefits numbered 4 to 17 inclusive in the Third Schedule to that Act) administered by and through a society or branch of a society should be transferred from that society or branch to the Ministry, he may, after such consultation as he may deem necessary, make an arrangement whereby the administration of any such benefits may be so transferred.

(2) Any such arrangement may relate to all or any of such benefits in respect of all or any of the insured members or persons who have ceased to be insured members or persons claiming through such members or persons, and may provide for notices and evidence of incapacity and claims for maternity benefit to be submitted by such members or persons

to a local office and not to the society or branch, and for the payment of benefit to such members or persons to be made by and through such local office.

Date of operation of such arrangements.

3. At any time after making any such arrangement as is referred to in paragraph (1) of the foregoing regulation the Minister may give directions to the society or branch of a society concerned that the arrangement shall come into operation either in whole or in part as from such date or dates as may be specified in the directions, and thereafter the benefits under the Insurance Act to which the arrangement (or, as the case may be, that part of the arrangement which is in operation) relates shall not be administered otherwise than in accordance with the provisions of the arrangement.

Determination of questions as to payment of benefit affected by the operation of an arrangement.

4. The following provisions shall apply in the case of any person whose benefits under the Insurance Act have become payable by and through a local office in accordance with the provisions of any arrangement made under regulation 2 of these regulations:—

(*a*) any question as to the payment to that person of any benefit which is affected by the operation of any such arrangement in respect of the period after the date of such operation shall be referred to the local office at which the benefit is payable; and

(*b*) any such question shall be determined for and on behalf of the society or branch by the officer of the Ministry for the time being in charge of such local office.

Relief from duty to keep books and accounts.

5. A society or branch of a society shall, as from the date of the coming into operation of any such arrangement as is referred to in regulation 2 of these regulations, be relieved of any duty to keep an account of the payment of any benefit which is payable by and through a local office in accordance with the arrangement, but, subject as aforesaid, this regulation shall not relieve the society or branch from the duty of keeping any books or accounts which are required to be kept by a society or branch under the provisions of the Insurance Act or any regulations for the time being in force thereunder.

Payments of benefit by local offices to be recorded in Grouped Societies (Benefits and Administration) Account.

6. All payments on account of benefits made by and through a local office in accordance with an arrangement made under regulation 2 of these regulations and the expenses of the administration of such benefits shall be defrayed out of the National Health Insurance Fund for the national area in which the local office is situated, and shall be recorded by the Minister in the Grouped Societies (Benefits and Administration) Account(**a**):

Provided that the amount to be entered in the said account in respect of the administration expenses of any such benefits shall be such an amount as the Minister determines represents those expenses.

Procedure for determination of disputes.

7. The procedure for appealing against any decision given by an officer of the Ministry for and on behalf of a society or branch of a society in accordance with the provisions of regulation 4 of these regulations shall be in accordance with the rules set out in the Schedule to the National Insurance (Approved Societies) Regulations (No. 2), 1947(**b**), and any reference in those rules to the manager shall for this purpose include a reference to such officer.

(**a**) *See* Regulation 4, National Insurance (Approved Societies) Regulations (No. 2), 1947 (S.R. & O. 1947 (No. 2112) I, p. 1473).

(**b**) S.R. & O. 1947 (No. 2112) I, p. 1473.

Section 75 of the Insurance Act to cease to have effect.

8. As from the 5th April, 1948, the provisions of section 75 of the Insurance Act (which section relates to members of a society resident in an area for which the society is not approved) shall cease to have effect.

9. The provisions of the Insurance Act and the regulations, rules and orders made thereunder shall have full force and effect subject to the modifications which are contained in the foregoing regulations.

Given under the official seal of the National Insurance Joint Authority this 22nd day of March, nineteen hundred and forty-eight.

C. D. Curtis,
Secretary,
National Insurance Joint Authority.

Joseph Henderson,
J. W. Snow,
Two of the Lords Commissioners of
His Majesty's Treasury.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations empower the Minister to make arrangements for the transfer from time to time of the administration of the benefits under the National Health Insurance Act, 1936 (other than treatment additional benefits) from approved societies to local offices of the Ministry, provide that the payment of such benefits shall be defrayed out of the National Health Insurance Fund and recorded in an account kept by the Minister, and relieve the societies concerned from the duty of keeping account of such payments. They provide for the determination by the officers in charge of local offices of questions affecting the right to any such benefits and lay down the appeal procedure from such decisions. By repealing section 75 of the National Health Insurance Act, 1936, they also secure that the cost of the benefits of members of approved societies shall be borne by the National Health Insurance Fund for the national area in which the beneficiary is resident.