Special saving

7. Notwithstanding anything contained in these regulations, the parent of a child shall not be entitled to a guardian's allowance in respect of that child.

EXPLANATORY NOTE

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

These Regulations amend the National Insurance (Guardian's Allowances) Regulations, 1948, by providing that guardian's allowance shall be payable on the death of one parent, when the whereabouts of the other parent is not known.

Provision is also made for the allowance to be payable: in the case of adopted children, on the death of the adoptive parent or if the child was adopted by two spouses jointly when both of them are dead; in the case of illegitimate children, on the death of the mother provided she is not survived by the father of the child when it will be payable when both of them are dead; and, in the case of children of divorced parents or parents whose voidable marriages have been annulled, on the death of one parent provided that that parent is not survived by the other who, at the date of death has custody of the child, or is maintaining the child, or against whom there has been issued a court order for custody or maintenance, in which case the allowance will be payable when both parents are dead.

In the case of a child who has been adopted or whose divorced parent remarries and in the case of an illegitimate child whose mother marries, amendments have been made consequential on the repeal, by section 6 (1) (*b*) of the National Insurance Act, 1957, of the provision of the National Insurance Act, 1946, which made it a condition for the payment of a guardian's allowance that any step-parent of the child should be dead.

The preliminary draft of these Regulations was submitted to the National Insurance Advisory Committee in accordance with Section 77 of the National Insurance Act, 1946, and their report thereon dated the 28th June, 1957, is contained in the House of Commons Paper No. 291 (Session 1956–57) published by Her Majesty's Stationery Office.

1957 No. 1849

The National Insurance (Hospital In-Patients) Amendment Regulations, 1957

Made - - - -	*28th October*, 1957
Laid before Parliament	*5th November*, 1957
Coming into Operation	*18th November*, 1957

The National Insurance Joint Authority(**a**), in conjunction with the Treasury, in exercise of powers conferred by section 30 of the National Insurance Act, 1946(**b**), and of all other powers enabling them in that behalf, hereby make the following regulations:—

Citation, interpretation and commencement

1. These regulations, which may be cited as the National Insurance (Hospital In-Patients) Amendment Regulations, 1957, shall be read as one

(**a**) *See* S. 63(2), National Insurance Act, 1946, and National Insurance (Northern Ireland Reciprocal Arrangements) Regulations, 1948 (S.I. 1948/211 (Rev. XVI, p. 367: 1948 I, p. 2905)).

(**b**) 9 & 10 Geo. 6. c. 67.

with the National Insurance (Hospital In-Patients) Regulations, 1949(a), as amended(b) (hereinafter referred to as "the principal regulations") and shall come into operation on the 18th November, 1957.

Amendment of regulation 3 of the principal regulations

2. In paragraph (4) of regulation 3 of the principal regulations (which relates to adjustment of personal benefit), after the words "paragraph (3)", there shall be inserted the words "or sub-paragraph (*d*) of paragraph (4)" and accordingly the said paragraph (4) of regulation 3 shall have effect as set out in Part I of the Schedule to these regulations.

Amendment of regulation 5 of the principal regulations

3.—(1) Regulation 5 of the principal regulations (which relates to the adjustment of personal benefit in any case where the beneficiary is receiving free in-patient treatment after having received that treatment continuously for a period of not less than fifty-two weeks) shall be amended in accordance with the following provisions of this regulation and shall accordingly have effect as set out in Part II of the Schedule to these regulations.

(2) In paragraph (3) of the said regulation 5, all the words after "is discharged from the hospital or similar institution" (which occur in sub-paragraph (*b*) of that paragraph) shall be omitted.

(3) At the end of the said regulation 5, there shall be added the following paragraph:—

"(4) In relation to any beneficiary who is married, the foregoing provisions of this regulation shall have effect subject to the following provisions:—

(*a*) If the husband or wife of the beneficiary is receiving free in-patient treatment after having received that treatment continuously for a period of not less than fifty-two weeks, then, notwithstanding the provisions of regulation 8 of these regulations, he or she shall not be regarded as a dependant of the beneficiary.

(*b*) If,—

(i) on a day on which the beneficiary is receiving free in-patient treatment after having received that treatment continuously for a period exceeding fifty-two weeks, his wife or her husband is receiving free in-patient treatment after having received that treatment continuously for a period which began fifty-two weeks before that day, and

(ii) as respects the period of free in-patient treatment received by the beneficiary, the provisions of paragraph (3) of this regulation have not applied in relation to any part of that period before that day,

those provisions shall apply as if the part of the period of free in-patient treatment received by the beneficiary next following the first fifty-two weeks thereof had begun on that day.

(*c*) Where the benefit in question is personal benefit by way of sickness benefit and the beneficiary is a woman who is receiving free in-patient treatment after having received that treatment continuously for a period of not less than fifty-two weeks, for any part of the period of that treatment which occurs after the first fifty-two weeks thereof and for which there is payable to her husband in respect of her any

(a) S.I. 1949/1461 (1949 I, p. 2718).

(b) The relevant amending regulations are S.I. 1952/2179, 1955/493 (1952 II, p. 2147; 1955 I, p. 1586).

dependency benefit under the Act, the reduction of that personal benefit shall be such (if any) as will reduce the weekly rate thereof, where the beneficiary is a tuberculosis patient, to twelve shillings and sixpence a week, or, in any other case, to seven shillings and sixpence a week.

(*d*) If the beneficiary is a man and the benefit in question is personal benefit by way of sickness benefit or a retirement pension, or if the beneficiary is a woman and the benefit in question is personal benefit by way of a retirement pension, then, for any part of the period of free in-patient treatment received by the beneficiary which occurs after the first one hundred and four weeks thereof and (where the beneficiary is a man) for which the wife of the beneficiary is entitled to a retirement pension by virtue of her own insurance—

(i) notwithstanding the provisions of regulation 8 of these regulations, the wife or husband of the beneficiary shall not be regarded as a dependant of the beneficiary, and

(ii) (where the beneficiary is a man and his wife would, but for the provisions of this sub-paragraph, be regarded as a dependant of the beneficiary) the reduction of the personal benefit in question shall be at the weekly rate of twenty-two shillings and sixpence:

Provided that the provisions of head (ii) of this sub-paragraph shall not apply for any period in respect of which any such application as is mentioned in paragraph (2) of this regulation has been made by the beneficiary in relation to any person except his wife who, for that period, is a dependant of the beneficiary.".

Regulation substituted for regulation 6 of the principal regulations

4. For regulation 6 of the principal regulations (which imposes a condition for the receipt of dependency benefit in certain cases), there shall be substituted the following regulation:—

"*Dependency benefit*

6.—(1) The provisions of paragraphs (2) to (6) of this regulation shall have effect subject to the provisions of paragraph (7) thereof.

(2) Where, apart from this regulation, the conditions for the receipt by any person (hereafter in this regulation referred to as "the beneficiary") of any dependency benefit under the Act are satisfied as respects a period for which either the beneficiary or the person in respect of whom that dependency benefit is or, apart from this regulation, would be payable (hereafter in this regulation referred to as "the dependant") is receiving free in-patient treatment, that dependency benefit shall be payable subject to and in accordance with the following provisions of this regulation.

(3) In any case (not being a case in which the provisions of the next following paragraph apply) where the beneficiary is married and the dependant is his wife or her husband and is receiving free in-patient treatment after having received that treatment continuously for a period of not less than eight weeks, the following provisions shall apply:—

(*a*) The weekly rate of the dependency benefit which, but for this regulation, would be payable to the beneficiary in respect of the dependant—

(i) for any part of the period of free in-patient treatment received by the dependant which occurs during the ninety-six weeks next following the first eight weeks thereof shall be reduced by seven shillings and sixpence or by such lesser amount (if any) as will

reduce that weekly rate, where the dependant is a tuberculosis patient, to twelve shillings and sixpence a week, or, in any other case, to seven shillings and sixpence a week; and

(ii) for any part of the period of free in-patient treatment received by the dependant which occurs after the end of one hundred and four weeks beginning with its commencement shall (subject to the provisions of the next following sub-paragraph) be reduced by such an amount (if any) as will reduce that weekly rate, where the dependant is a tuberculosis patient, to twelve shillings and sixpence a week, or, in any other case, to seven shillings and sixpence a week.

(*b*) Where the beneficiary is a man and the dependant is his wife who is residing with him, the dependency benefit which, but for this sub-paragraph, would be payable to the beneficiary in respect of the dependant for any part of the period of free in-patient treatment received by the dependant which occurs after the end of one hundred and four weeks beginning with its commencement shall not be payable unless the beneficiary is regularly incurring expenditure in respect of the dependant or is regularly making, or causing to be made, some payment to the dependant or to some other person for the benefit of the dependant.

(4) In any case where the beneficiary is married and the dependant is his wife or her husband and each of them is receiving free in-patient treatment after having received that treatment continuously for a period of not less than fifty-two weeks, the following provisions shall apply:—

(*a*) For any part of the period of free in-patient treatment received by the beneficiary—

(i) which occurs both after the first fifty-two weeks thereof and during that part of the period of free in-patient treatment received by the dependant which occurs during the fifty-two weeks next following the first fifty-two weeks thereof, and

(ii) in respect of which an application has been made by the beneficiary to the Minister to pay on behalf of the beneficiary to the dependant (subject to the dependant's being discharged from the hospital or similar institution and subject also to the provisions of the next following regulation) or to some other person who is approved by the Minister and satisfies the Minister that he will apply it for the benefit of a child of the beneficiary's family so much (if any) of the dependency benefit as would, but for this regulation, be payable to the beneficiary in respect of the dependant at a rate in excess, where the dependant is a tuberculosis patient, of twenty shillings a week, or, in any other case, of fifteen shillings a week,

the weekly rate of the dependency benefit which, but for this regulation, would be payable to the beneficiary in respect of the dependant shall be reduced by seven shillings and sixpence a week or by such lesser amount (if any) as will reduce that weekly rate, where the dependant is a tuberculosis patient, to twelve shillings and sixpence a week, or, in any other case, to seven shillings and sixpence a week.

(*b*) For any other part of the period of free in-patient treatment received by the beneficiary which occurs both after the first fifty-two weeks thereof and during that part of the period of free in-patient treatment

received by the dependant which occurs after the first fifty-two weeks thereof, the weekly rate of the dependency benefit which, but for this regulation, would be payable to the beneficiary in respect of the dependant shall be reduced by such an amount (if any) as will reduce that weekly rate, where the dependant is a tuberculosis patient, to twelve shillings and sixpence a week, or, in any other case, to seven shillings and sixpence a week.

(*c*) Any benefit in relation to which, in accordance with sub-paragraph (*a*) of this paragraph, an application has been made by the beneficiary to the Minister for its payment to the dependant shall not be payable unless and until the dependant is discharged from the hospital or similar institution.

(5) In any case where the dependant is a child and is receiving free in-patient treatment after having received that treatment continuously for a period of not less than twelve weeks, any dependency benefit which, but for this regulation, would be payable to the beneficiary in respect of the dependant shall not be payable unless the beneficiary is regularly incurring expenditure in respect of the dependant or is regularly making, or causing to be made, some payment to the dependant or to some other person for the benefit of the dependant.

(6) In any case (not being a case in which the provisions of sub-paragraph (*b*) of paragraph (3) of this regulation or the provisions of the last foregoing paragraph apply) where, apart from this regulation, the conditions for the receipt by the beneficiary of any dependency benefit under the Act (not being any dependency benefit in relation to which an application has been made in accordance with the provisions of head (ii) of sub-paragraph (*a*) of paragraph (4) of this regulation) are satisfied and the beneficiary has received free in-patient treatment continuously for a period exceeding fifty-two weeks, that dependency benefit, or such part thereof as would be payable but for the provisions of this paragraph, shall not be payable for any part of the period of free in-patient treatment which occurs after the first fifty-two weeks thereof and in respect of which an application has not been made by the beneficiary to the Minister to pay on behalf of the beneficiary that dependency benefit, or the said part thereof, to the dependant or to some other person who is approved by the Minister and satisfies the Minister that he will apply it for the benefit of the dependant.

(7) In relation to any case where the beneficiary is a married man and the dependant is his wife, the foregoing references to the dependency benefit which, but for this regulation, would be payable for any period shall, as respects any period throughout which the dependant is receiving free in-patient treatment and—

(*a*) for which personal benefit under the Act by way of sickness benefit is payable to her, or

(*b*) (where the dependency benefit in question is dependency benefit by way of an increase of a retirement pension) throughout which she is over pensionable age and for which any personal benefit specified in paragraph (2) of regulation 6 of the National Insurance (Overlapping Benefits) Regulations, 1948(**a**), is payable to her,

be construed as references to the dependency benefit which, but for the operation of the said regulations of 1948 and the provisions of this regulation, would be payable for that period.".

(a) S.I. 1948/2711 (Rev. XVI, p. 196: 1948 I, p. 2657).

Regulations added to the principal regulations

5. In Part III of the principal regulations (which contains supplementary provisions), before regulation 7 thereof, there shall be inserted the following regulations:—

"*Benefit payable on discharge from a hospital or similar institution*

6A.—(1) Where, by virtue of any provision of these regulations, the payment to a person (hereafter in this regulation referred to as "the payee") of any sum by way of benefit is conditional upon the payee's discharge from a hospital or similar institution, that sum (which sum or any part thereof is hereafter in this regulation referred to as "resettlement benefit") shall not be payable unless and until, after the payee's discharge from the hospital or similar institution, the payee proves, in such manner as the Minister shall require, that his discharge therefrom was effected by and with the approval of a person authorised or empowered to discharge him and that he is neither receiving free in-patient treatment nor residing in any prescribed accommodation, and in that event there shall be payable only so much resettlement benefit as is payable in accordance with the provisions of the next following paragraph.

(2) Resettlement benefit shall, during the lifetime of the payee, be payable to him by instalments not exceeding sixty shillings a week unless, having regard to the circumstances of any particular case, the Minister decides that payment by other instalments or in one sum is desirable, and any resettlement benefit which, at the payee's death, has not been paid in accordance with this provision shall not be payable:

Provided that—

(*a*) the payment of any resettlement benefit shall be suspended while the payee is again receiving free in-patient treatment or is residing in any prescribed accommodation; and

(*b*) where the payee again receives free in-patient treatment for any period, the amount of any resettlement benefit which, but for the provisions of this paragraph of this proviso, would be payable to him in respect of that period shall be reduced or extinguished by the deduction therefrom of the amount of any resettlement benefit which, at the commencement of that period, either was payable to him and was unpaid, or would have been so payable to him if he had then satisfied the conditions for the receipt thereof.

Provisions as to residence

6B. For the purposes of Part II and paragraph (*d*) of regulation 8 of these regulations, two spouses shall not be deemed to have ceased to reside together by reason of any absence of either or both of them while receiving medical or other treatment as an in-patient in a hospital or similar institution, notwithstanding that such absence is not temporary and notwithstanding that it commenced before the date on which this regulation comes into force.".

Amendment of regulation 8 *of the principal regulations*

6.—(1) Regulation 8 of the principal regulations (which specifies the circumstances in which a beneficiary shall be regarded as having a dependant) shall be amended in accordance with the following provisions of this regulation and shall accordingly have effect as set out in Part III of the Schedule to these regulations.

(2) After the words "For the purposes of" where they first occur, there shall be inserted the words "regulations 4 and 5 of".

(3) In paragraph (*c*) of the said regulation 8, in the expression "but for the provisions of regulation 6", the words "the operation of the said regulations of 1948 and" shall be inserted after the words "but for"; and the words "she had not attained pensionable age and" and the words "otherwise than for the purpose of ascertaining whether or not the beneficiary is or has been wholly or mainly maintaining her" shall be omitted.

(4) In paragraph (*d*) of the said regulation 8, for the words "would, for the purposes of the Act, be regarded as", there shall be substituted the word "is".

(5) For the words "for the purposes of these regulations" where they secondly occur, there shall be substituted the words "for the first-mentioned purposes".

Amendment of regulation 13 *of the principal regulations*

7. In regulation 13 of the principal regulations (which provides for priority of adjustments of benefit), before the words "Where any benefit", there shall be inserted the words "Except in any case in which the provisions of paragraph (7) of regulation 6 of these regulations apply," and that regulation shall accordingly have effect as set out in Part IV of the Schedule to these regulations.

Given under the Official Seal of the National Insurance Joint Authority this 24th day of October, nineteen hundred and fifty-seven.

(L.S.)

Ian G. Gilbert,
Secretary,
National Insurance Joint Authority.

Dated this 28th day of October, nineteen hundred and fifty-seven.

Harwood Harrison,
Edward Wakefield,
Two of the Lords Commissioners of Her Majesty's Treasury.

SCHEDULE

CONTAINING PROVISIONS OF THE PRINCIPAL REGULATIONS AS AMENDED BY THESE REGULATIONS*

PART I — Regulation 2

PARAGRAPH (4) OF REGULATION 3 OF THE PRINCIPAL REGULATIONS AS AMENDED

(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) *or sub-paragraph* (*d*) *of paragraph* (4) of regulation 5 would reduce the rate of that personal benefit, where the beneficiary is a tuberculosis patient, to less than twelve shillings and sixpence a week, or, in any other case, to less than seven shillings and sixpence 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 twelve shillings and sixpence a week, or, in any other case, to seven shillings and sixpence a week.

* The words added or substituted by these regulations are shewn in italics.

PART II Regulation 3

REGULATION 5 OF THE PRINCIPAL REGULATIONS AS AMENDED

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 provisions of this regulation, that reduction shall, subject to the following provisions of this regulation, be such (if any) as will reduce the rate of that personal benefit, where the beneficiary is a tuberculosis patient, to twelve shillings and sixpence a week, or, in any other case, to seven shillings and sixpence a week.

(2) For any part of the period referred to in paragraph (1) of this regulation during which the beneficiary has a dependant and in respect of which an application has been made by the beneficiary to the Minister to pay on behalf of the beneficiary to that dependant, or to some other person who is approved by the Minister and satisfies the Minister that he will apply it for the benefit of that dependant, so much (if any) of the personal benefit as would, but for the provisions of these regulations, be payable to the beneficiary in excess, where the beneficiary is a tuberculosis patient, of twenty shillings a week, or, in any other case, of fifteen shillings a week, the reduction of personal benefit shall be at the rate of seven shillings and sixpence a week.

(3) (*a*) For any part of the period of free in-patient treatment which falls within the period of fifty-two weeks next following the first fifty-two weeks thereof, and during which the beneficiary has not a dependant or, if the beneficiary has a dependant, in respect of which any such application as is mentioned in paragraph (2) of this regulation has not been made, the reduction of personal benefit shall, subject to the provisions of the next following sub-paragraph, be at the rate of fifteen shillings a week.

(*b*) In addition to the reduction of benefit specified in the last foregoing sub-paragraph, so much (if any) of the personal benefit as would, but for the provisions of these regulations, be payable for the said part of the said period in excess, where the beneficiary is a tuberculosis patient, of twenty-seven shillings and sixpence a week, or, in any other case, of twenty-two shillings and sixpence a week, shall not be payable unless and until the beneficiary is discharged from the hospital or similar institution.

(4) *In relation to any beneficiary who is married, the foregoing provisions of this regulation shall have effect subject to the following provisions:—*

(*a*) *If the husband or wife of the beneficiary is receiving free in-patient treatment after having received that treatment continuously for a period of not less than fifty-two weeks, then, notwithstanding the provisions of regulation 8 of these regulations, he or she shall not be regarded as a dependant of the beneficiary.*

(*b*) *If,—*

(*i*) *on a day on which the beneficiary is receiving free in-patient treatment after having received that treatment continuously for a period exceeding fifty-two weeks, his wife or her husband is receiving free in-patient treatment after having received that treatment continuously for a period which began fifty-two weeks before that day, and*

(*ii*) *as respects the period of free in-patient treatment received by the beneficiary, the provisions of paragraph* (3) *of this regulation have not applied in relation to any part of that period before that day,*

those provisions shall apply as if the part of the period of free in-patient treatment received by the beneficiary next following the first fifty-two weeks thereof had begun on that day.

(*c*) *Where the benefit in question is personal benefit by way of sickness benefit and the beneficiary is a woman who is receiving free in-patient treatment after having received that treatment continuously for a period of not less than fifty-two weeks, for any part of the period of that treatment which occurs after the first fifty-two weeks thereof and for which there is payable*

to her husband in respect of her any dependency benefit under the Act, the reduction of that personal benefit shall be such (if any) as will reduce the weekly rate thereof, where the beneficiary is a tuberculosis patient, to twelve shillings and sixpence a week, or, in any other case, to seven shillings and sixpence a week.

(d) If the beneficiary is a man and the benefit in question is personal benefit by way of sickness benefit or a retirement pension, or if the beneficiary is a woman and the benefit in question is personal benefit by way of a retirement pension, then, for any part of the period of free in-patient treatment received by the beneficiary which occurs after the first one hundred and four weeks thereof and (where the beneficiary is a man) for which the wife of the beneficiary is entitled to a retirement pension by virtue of her own insurance—

(i) notwithstanding the provisions of regulation 8 of these regulations, the wife or husband of the beneficiary shall not be regarded as a dependant of the beneficiary, and

(ii) (where the beneficiary is a man and his wife would, but for the provisions of this sub-paragraph, be regarded as a dependant of the beneficiary) the reduction of the personal benefit in question shall be at the weekly rate of twenty-two shillings and sixpence:

Provided that the provisions of head (ii) of this sub-paragraph shall not apply for any period in respect of which any such application as is mentioned in paragraph (2) of this regulation has been made by the beneficiary in relation to any person except his wife who, for that period, is a dependant of the beneficiary.

PART III Regulation 6

REGULATION 8 OF THE PRINCIPAL REGULATIONS AS AMENDED

Persons constituting " dependants "

8. For the purposes of *regulations 4 and 5 of* these regulations, a beneficiary shall be regarded as having a dependant for any period if, but only if, for that period either—

(*a*) any dependency benefit is payable to the beneficiary (or to some other person on his behalf) or, but for the operation of the National Insurance (Overlapping Benefits) Regulations, 1948, and the provisions of regulation 6, would, subject to his satisfying the condition of making a claim therefor, be payable to the beneficiary; or

(*b*) an increase of benefit would, but for the provisions of regulation 6 and subject as aforesaid, be payable to the beneficiary in respect of an adult dependant, if any earnings of that dependant were disregarded otherwise than for the purpose of ascertaining whether or not the beneficiary is or has been wholly or mainly maintaining that dependant; or

(*c*) an increase of benefit would, but for *the operation of the said regulations of* 1948 *and* the provisions of regulation 6 and subject as aforesaid, be payable to the beneficiary in respect of his wife for any period in respect of which a retirement pension is payable to her, if any earnings of the wife were disregarded; or

(*d*) a retirement pension is payable to the beneficiary (being the wife of a man to whom a retirement pension is payable in respect of that period) and the beneficiary *is* residing with her husband;

and, in relation to a beneficiary who is regarded as having a dependant by virtue of the provisions of paragraph (*a*), (*b*) or (*c*) of this regulation, a person in respect of whom any dependency benefit is or, but for any provision or condition mentioned in that paragraph would be payable to the beneficiary (or to some other person on his behalf) shall, *for the first-mentioned purposes,* be regarded as a dependant, and, in relation to a married woman who is regarded as having a dependant by virtue of the provisions of paragraph (*d*) of this regulation, her husband shall, for those purposes, be regarded as a dependant:

Provided that, if the husband or wife of the beneficiary is temporarily absent from Great Britain for the specific purpose of being treated for incapacity which commenced before he or she left Great Britain, then, in determining for the purposes of the foregoing provisions of this regulation whether any benefit is, or would be, payable, that absence from Great Britain (and any absence of claim for benefit) shall be disregarded.

PART IV Regulation 7

REGULATION 13 OF THE PRINCIPAL REGULATIONS AS AMENDED

Priority of adjustments

13. *Except in any case in which the provisions of paragraph (7) of regulation 6 of these regulations apply,* where any benefit in relation to which these regulations apply falls to be adjusted in accordance with the provisions of the National Insurance (Overlapping Benefits) Regulations, 1948, the benefit as so adjusted in accordance with those provisions shall be the relevant benefit for the purposes of the provisions of these regulations.

EXPLANATORY NOTE

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

These Regulations amend those provisions of the National Insurance (Hospital In-Patients) Regulations, 1949, as previously amended ("the principal regulations") which provide for the adjustment of personal benefit (as defined in the principal regulations) under the National Insurance Act, 1946, in certain cases where the beneficiary is receiving free in-patient treatment (as so defined) after having received that treatment continuously for a period of not less than 52 weeks. The amendment of those provisions is effected by adding special provisions which apply in certain cases where the beneficiary is married. These Regulations also substitute new provisions for those of the principal regulations which relate to dependency benefit (as so defined) under that Act. The provisions which are substituted substantially reproduce those of the principal regulations which impose a condition for the receipt of dependency benefit in certain cases where the beneficiary is receiving free in-patient treatment after having received that treatment continuously for a period of not less than 52 weeks; but they also provide for the adjustment of dependency benefit under that Act in certain cases where the person in respect of whom that benefit is payable is the husband or wife of the beneficiary and is receiving free in-patient treatment. By virtue of the substituted provisions, some dependency benefit under the Act in respect of a person receiving free in-patient treatment may (at the instance of the beneficiary) become payable to the patient if and when he or she is discharged from hospital; and these Regulations provide also for the addition to the principal regulations of a provision (similar to the existing provision relating to personal benefit which is payable on the beneficiary's discharge from hospital) which applies in all cases where, under the principal regulations as amended by these Regulations, the payment to a person of any sum by way of benefit is conditional upon the payee's discharge from hospital. The remaining provisions are of a minor or consequential character.

The preliminary draft of these Regulations was submitted to the National Insurance Advisory Committee in accordance with Section 77 of the National Insurance Act, 1946, and their report thereon, dated the 16th September, 1957, is contained in House of Commons Paper No. 2 (Session 1957-58) published by Her Majesty's Stationery Office.