STATUTORY INSTRUMENTS

1964 No. 504

NATIONAL INSURANCE (INDUSTRIAL INJURIES)

The National Insurance (Industrial Injuries) (Benefit) Regulations 1964

Made - - - -	31*st March* 1964
Laid before Parliament	10*th April* 1964
Coming into Operation	13*th April* 1964

The Industrial Injuries Joint Authority and the Minister of Pensions and National Insurance, in exercise of the powers conferred by the provisions of the National Insurance (Industrial Injuries) Acts set out respectively in Parts I and II of Schedule 1 of this instrument, and of all other powers enabling them in that behalf, hereby make, for the purpose only of consolidating the regulations hereinafter revoked, the following regulations:—

PART I

GENERAL

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the National Insurance (Industrial Injuries) (Benefit) Regulations 1964, and shall come into operation on 13th April 1964.

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

"the Act" means the National Insurance (Industrial Injuries) Act 1946(a);

"the National Insurance Act" means the National Insurance Act 1946(b);

"the Act of 1957" means the National Insurance Act 1957(c);

"the Workmen's Compensation Acts" means the Workmen's Compensation Acts 1925 to 1945, or the enactments repealed by the Workmen's Compensation Act 1925(d), or the enactments repealed by the Workmen's Compensation Act 1906(e);

"the Minister" means the Minister of Pensions and National Insurance;

"determining authority" means an insurance officer, a local appeal tribunal or the Commissioner, as the case may require, appointed or constituted for the purposes of the Act;

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

(3) References in these regulations to any enactment, regulations or instrument shall, unless the context otherwise requires, include references to such enactment, regulations or instrument, as amended by any subsequent enactment, regulations or instrument.

(4) The rules for the construction of Acts of Parliament contained in the Interpretation Act 1889(f) shall apply in relation to this instrument and in relation to the revocations effected by it as if this instrument, the regulations revoked by it and any regulations revoked by the regulations so revoked were Acts of Parliament, and as if each revocation were a repeal.

(a) 9 & 10 Geo. 6. c. 62.
(b) 9 & 10 Geo. 6. c. 67.
(c) 5 & 6 Eliz. 2. c. 26.
(d) 15 & 16 Geo. 5. c. 84.
(e) 6 Edw. 7. c. 58.
(f) 52 & 53 Vict. c. 63.

PART II

INJURY AND DISABLEMENT BENEFIT

Assessment of disablement and prescribed degrees of disablement

2.—(1) Section 12(2) of the Act (general principles relating to the assessment of the extent of disablement) shall have effect subject to the provisions of this regulation.

(2) Where as a result of the relevant accident the claimant has suffered an injury specified in column 1 of Schedule 2 of these regulations then, unless the case is one to which the next following paragraph applies, the loss of faculty suffered by the claimant as a result of that injury shall be treated for the purpose of section 12 of the Act (assessment of disablement and disablement benefit) as resulting in the degree of disablement set against such injury in column 2 of the said Schedule 2:

Provided that where a person has suffered an injury specified in Schedule 2 which includes any other injury so specified, this paragraph shall only apply to the first mentioned injury.

(3) Where as a result of the relevant accident the claimant has suffered an injury specified in the said Schedule 2, but—

(*a*) as a result of that injury the claimant may be expected, having regard to his physical and mental condition at the date of the assessment in respect thereof, to be subject to greater disabilities than would normally be incurred as a result of such an injury; or

(*b*) the part of the body by which the injury was sustained would not, apart from that injury, have been normal at the date of the assessment;

the loss of faculty suffered by the claimant as a result of such injury shall be assessed by reference to the degree of disablement set against such injury in column 2 of the said Schedule 2 subject to such adjustment as may be reasonable in the circumstances of the case.

(4) For the purpose of assessing the extent of the disablement resulting from any injury which is not specified in the said Schedule 2, the medical board or the medical appeal tribunal (as the case may be) may have such regard as may be appropriate to the provisions of paragraph (2) or paragraph (3) of this regulation.

(5) Where as a result of the relevant accident a claimant has suffered an injury to an organ of his body which in a person whose physical condition is normal would be one of two similar organs, the functions of which would be interchangeable or complementary, in assessing the extent of the disablement resulting from the relevant loss of faculty for any period during which the claimant may be expected to be subject to any disability resulting from that injury—

(*a*) any disability in respect of the other organ to which the claimant would in any case have been subject by reason of a congenital defect, or an injury or disease received or contracted before the relevant accident and not attributable to any accident against which he was insured under the Act, shall nevertheless be treated as having been incurred as a result of the relevant loss of faculty;

(*b*) subject as hereafter provided in this regulation, any disability in respect of the other organ to which the claimant would not have been subject but for some injury or disease received or contracted after the relevant

accident and not attributable to that accident or any other accident against which he was insured under the Act, shall be treated as having been incurred as a result of the relevant loss of faculty:

Provided that, subject to proviso (*b*) to section 12(5) of the Act (percentages which are not multiples of 10 to be treated as multiples of 10), the degree of disablement which shall be treated as resulting from such relevant loss of faculty shall be that appropriate to one half of the percentage at which the extent of disablement resulting from the relevant loss of faculty would otherwise, and apart from the said proviso (*b*), be assessed.

(6) The provisions of the last foregoing paragraph shall not have effect in respect of a case to which sub-paragraph (*b*) thereof relates unless the assessment in respect of the relevant loss of faculty would be thereby increased.

Amount of disablement gratuities

3. Where the extent of a claimant's disablement is assessed at any of the degrees of disablement severally specified in column 1 of Schedule 3 of these regulations, the amount of any disablement gratuity payable shall—

(*a*) if the period taken into account by that assessment is limited by reference to the claimant's life or is not less than 7 years, be the amount specified in column 2 of that Schedule as appropriate to that degree of disablement;

(*b*) in any other case, be an amount which bears the same proportion to the amount so specified as the period taken into account by the assessment bears to a period of 7 years, a fraction of a shilling being, for this purpose, treated as a shilling.

Injury benefit payable to children of school age

4.—(1) Subject to the following provisions of this regulation, a child under the upper limit of compulsory school age shall be entitled to injury benefit in accordance with the provisions of section 11 of the Act.

(2) The weekly rate of injury benefit in the case of any such child shall be—

(*a*) 57 shillings and 6 pence where the relevant employment or (if more than one) the relevant employments was or amounted in the aggregate to, full time employment or substantially full time employment;

(*b*) 20 shillings in any other case;

and such injury benefit shall not be payable otherwise than to a parent or guardian of the child or a person appointed by the Minister to receive the benefit on behalf of the child.

(3) In the last foregoing paragraph, the expression "relevant employment" means any employment in which the child was or would but for the relevant injury have been employed during the calendar week in which as the result of the relevant injury he first became incapable of work.

PART III

INCREASE OF INJURY AND DISABLEMENT BENEFIT

Circumstances in which for the purposes of section 14 of the Act a beneficiary may be treated as being incapable of following an occupation or employment notwithstanding that he has worked thereat

5.—(1) For the purposes of section 14 of the Act (increase of disablement pension in respect of special hardship), in determining whether a beneficiary has at all times since the end of the injury benefit period been incapable of

following his regular occupation or employment of an equivalent standard which is suitable in his case, and in determining that question only, the fact that since the end of the injury benefit period such beneficiary had worked at that occupation or any such employment (as the case may be)—

(*a*) for the purpose of rehabilitation or training or of ascertaining whether he had recovered from the effects of the relevant injury; or

(*b*) before obtaining surgical treatment for the effects of the said injury;

shall be disregarded in respect of the periods specified in the next following paragraph.

(2) The periods during which the beneficiary worked at his regular occupation or at employment of equivalent standard, which shall be disregarded in accordance with the provisions of the preceding paragraph, shall be—

(*a*) in any case to which sub-paragraph (*a*) of that paragraph applies—

(i) any period during which he worked thereat for any of the said purposes with the approval of the Minister or on the advice of a medical practitioner, and

(ii) any other period or periods during which he worked thereat for any of the said purposes and which did not exceed 6 months in the aggregate; and

(*b*) in any case to which sub-paragraph (*b*) of that paragraph applies—

(i) any period during which he worked thereat and throughout which it is shown that having obtained the advice of a medical practitioner to submit himself to such surgical treatment he was waiting to undergo the said treatment in accordance therewith; and

(ii) any other period during which he worked thereat and throughout which it is shown that he was in process of obtaining such advice.

Payments in respect of special hardship where beneficiary is entitled to a gratuity

6.—(1) Where in any case a beneficiary is entitled to or has received a disablement gratuity, such beneficiary shall as respects that gratuity have the like rights to payments in respect of special hardship as he would have had by way of increase of disablement pension under section 14 of the Act if the disablement gratuity had been a disablement pension payable during the period taken into account by the assessment.

(2) A beneficiary who is entitled as respects a disablement gratuity to payments in respect of special hardship by virtue of the preceding paragraph of this regulation shall, if he makes an application in that behalf at any time before that gratuity or any part thereof has been paid to him, be entitled, subject to the proviso to section 12(7) of the Act, to a disablement pension in lieu of such gratuity for any part of the period taken into account by the assessment during which he may be entitled to an increase of such pension in respect of special hardship under section 14 of the Act, and the weekly rate of such pension shall be determined in accordance with Schedule 4 of these regulations.

(3) Where a pension has been payable under the last foregoing paragraph in lieu of a gratuity for any period and the beneficiary ceases to be entitled to an increase of such pension under the provisions of section 14 of the Act, the amount of that gratuity shall be treated as reduced by the amounts which have been paid to the beneficiary by way of such pension, other

than any increase thereof under the said section 14 and, subject to the provisions of these regulations, the balance (if any) shall then be payable accordingly.

Increase of disablement pension for constant attendance

7. The amount by which the weekly rate of a disablement pension may be increased under section 15 of the Act where constant attendance is required by a beneficiary as a result of the relevant loss of faculty shall—

(*a*) where the beneficiary is to a substantial extent dependent on such attendance for the necessities of life (not being a case to which paragraph (*b*) of this regulation relates) and is likely to remain so dependent for a prolonged period, be 50 shillings unless the attendance so required is part time only, in which case the amount shall be such lesser sum as may be reasonable in the circumstances;

(*b*) where the beneficiary is so severely disabled as to be entirely or almost entirely dependent on such attendance for the necessities of life, and is likely to remain so dependent for a prolonged period and the attendance so required is whole time, be 100 shillings.

Weekly value of gratuity for purposes of reduction of increase of disablement benefit during approved hospital treatment

8. For the purpose of reducing the weekly rate of a disablement pension payable by virtue of section 16 of the Act to a person awarded a disablement gratuity wholly or partly in respect of the same period, the weekly value of the gratuity shall be the weekly rate of disablement pension which would be payable to that person in lieu thereof in accordance with regulation 6(2) of these regulations if that regulation applied in his case.

Increase of benefit in respect of a wife, and computation of earnings

9.—(1) A beneficiary shall not be entitled to an increase of benefit in respect of his wife under section 18 of the Act (increase of benefit in respect of adult dependants) for any period during which his wife is engaged in any gainful occupation or occupations from which her weekly earnings, calculated or estimated in accordance with the following provisions of this regulation, exceed the amount of the increase specified in the said section 18.

1965/36

(2) For the purposes of paragraph (1) of this regulation, the weekly earnings of a wife shall be ascertained in the following manner:—

(*a*) in the case of injury benefit or of disablement pension payable to a beneficiary who is receiving approved hospital treatment and who is not entitled to unemployability supplement—

(i) where the wife is employed in one employment only in respect of which she receives a regular weekly wage of a fixed amount, by reference to that weekly wage; or

(ii) where the wife is not so employed or does not receive a regular weekly wage of a fixed amount and a claim for the increase is made in respect of a period of 7 days (including Sunday), by reference to her earnings in that period;

(*b*) in the case of disablement pension payable to a beneficiary who is entitled to an unemployability supplement, if there are earnings by the wife in the period of 7 days immediately preceding the day in the week prescribed(**a**) for the payment of the pension, by reference to those earnings;

(**a**) *See* regulation 16(4), S.I. 1964/73 (1964 I, p. 115).

(*c*) in any case not covered by either of the foregoing sub-paragraphs, in such manner as the determining authority may decide to be appropriate, having regard to all the circumstances of the case.

(3) For the purposes of paragraph (1) of this regulation, the amount to be taken into account in respect of any weekly earnings ascertained in accordance with paragraph (2) of this regulation shall be limited to the net remuneration or profit in respect of any gainful occupation or occupations, and, in particular, in so far as such earnings consist of salary or wages, no account shall be taken of—

(*a*) any sums the deduction of which from salary or wages is authorised by statute; or

(*b*) the reasonable expenses, if any, incurred by the wife in connection with employment in such occupation:

Provided that, where the amount of the weekly earnings is, by reason of the circumstances of the occupation in which the wife is engaged, not immediately ascertainable, the amount to be taken into account as aforesaid shall be calculated or estimated in such manner and on such basis as may be decided by the determining authority to be appropriate, having regard to all the circumstances of the case.

Increase of benefit for dependent relatives and further conditions applicable

10.—(1) For the purposes of section 18(1)(*c*) of the Act (increase of benefit in respect of a relative of a beneficiary subject to such further conditions as may be prescribed), the relatives shall be the persons who bear any such relationship to the beneficiary as is specified in Schedule 5 of these regulations, and shall include any person who is any such relative by adoption and any person who would be such a relative if some person born illegitimate had been born legitimate, but shall not include any person who is a child.

1965/36

(2) The following further conditions shall apply in relation to any such relative as is mentioned in the foregoing paragraph:—

(*a*) Where such relative is a woman, a beneficiary shall not be entitled to an increase of benefit under the said section 18 in respect of her for any period during which she is engaged in any gainful occupation or occupations from which her weekly earnings (calculated or estimated in such manner and on such basis as is prescribed by the last foregoing regulation for the purposes of the said section 18 in relation to the earnings of a wife) exceed the amount of the increase specified in the said section 18.

(*b*) Where any such relative is a man, an increase shall not be payable in respect of him for any period other than a period during which he is incapable of self-support.

(*c*) Where any such relative is a married woman, an increase shall not be payable in respect of her for any period other than a period during which—

(i) she is not residing with and is unable to obtain any financial assistance from her husband; or

(ii) her husband is incapable of self-support and is not entitled to an increase of benefit in respect of her under the Act or the National Insurance Act.

Increase of benefit for female person having care of child

11. For the purposes of section 18(1)(*d*) of the Act (increase of benefit in respect of a female person, not being a child, who has the care of a child or children of the beneficiary's family), the following further conditions shall apply in relation to any such female person:—

(1) A beneficiary shall not be entitled to an increase of benefit under the said section 18 in respect of any such female person unless—

(*a*) she is residing with the beneficiary; or

(*b*) she is employed by the beneficiary in an employment from which her weekly earnings (calculated or estimated in such manner and on such basis as is prescribed by regulation 9 for the purpose of the said section 18 in relation to the earnings of a wife) are not less than the amount mentioned in the said section 18, and was so employed by him before the date of the relevant accident, subject to the qualification that the condition of employment before that date shall not apply in a case where the necessity for her employment first arose thereafter; or

(*c*) the beneficiary is contributing to her maintenance at a weekly rate of not less than the amount mentioned in the said section 18.

(2) A beneficiary shall not be entitled to an increase of benefit under the said section 18 in respect of any such female person for any period during which that female person (not being a person who is employed by, but is not residing with, the beneficiary) is engaged in any gainful occupation or occupations (other than her employment by the beneficiary in caring for a child or children of the beneficiary's family) from which her weekly earnings (calculated or estimated in such manner and on such basis as is prescribed as aforesaid for the purpose of the said section 18) exceed the amount of the increase specified in the said section 18. 1965/36

(3) A beneficiary shall not be entitled to an increase of benefit under the said section 18 in respect of any such female person unless the beneficiary is entitled to an increase of benefit in respect of a child of his family or a child treated as such for the purposes of section 17 of the Act (increase of benefit in respect of children), or would be so entitled but for the provisions of regulations in Part VII relating to overlapping benefits.

Contribution to maintenance of adult dependant

12. For the purposes of section 18(1)(*a*) of the Act (increase of benefit in respect of a wife) or of regulation 11(1)(*c*) of these regulations, a beneficiary shall not be deemed to satisfy the requirement contained in the said section or regulation that he is contributing to the maintenance of the wife or female person, as the case may be, at a weekly rate of not less than the amount mentioned in section 18 of the Act, unless when in employment before the date of the relevant accident (except in a case where the dependency did not arise until after that date), he contributed to her maintenance at a weekly rate of not less than that amount. 1965/36

Children treated as included in family for increase of certain benefits

13. For the purposes of section 6(3) of the Act of 1957 (which provides for treating a child as included in a man's family for the purpose of an increase of injury benefit or disablement pension under section 17 of the Act where the beneficiary is contributing to the cost of providing for the

child at a weekly rate which, though not less than the prescribed rate, is less than the minimum rate for the time being required for the purposes of section 3(2) of the Family Allowances Act 1945(a)), the prescribed rate in relation to the said section 17 shall as respects any period throughout which the said minimum rate is higher than a rate equal to the lesser amount specified in section 17(1) of the Act be the last mentioned rate:

Provided that a person shall not be deemed for the purposes of the said section 6(3) to be so contributing at a weekly rate not less than the prescribed rate unless on the day for which the increase of benefit is claimed another child was, or was under section 17(2) treated as, or could under paragraph 3 of the Schedule of the Family Allowances Act 1945, have been treated as, included in his family.

Contribution towards cost of providing for child

14.—(1) For the purposes of paragraphs (*e*) and (*f*) of section 6(4) of the Act of 1957 (which paragraphs, in relation to certain benefits or increases of benefit under the Act in respect of a child, make it a condition of payment of the benefit that, unless the child is living with the claimant, contributions towards the cost of providing for the child are being made at a weekly rate not less than that of the amount in question), a person shall be deemed to be contributing towards the cost of providing for a child at a weekly rate not less than that required by the said section 6(4)—

(*a*) as respects any period in respect of which the child is treated as included in the person's family by virtue of the said section 6(3) and the person is contributing towards the cost of providing for the child at a weekly rate not less than the lesser amount specified in section 17(1) of the Act and is, apart from the said section 6(4), entitled to receive payment—

(i) in respect of the child, of an amount under section 17 of the Act by way of an increase of injury benefit or disablement pension, at the rate appropriate to the elder or eldest child of a family; and

(ii) in respect of some other child of such an amount at the rate appropriate to a child other than the elder or eldest;

(*b*) as respects any period in respect of which the child is included in the person's family and, apart from the said section 6(4), the person is not entitled to receive payment in respect of the child of any amount such as is referred to in the said paragraphs (*e*) and (*f*).

(2) Where the amount in question is an increase of injury benefit or disablement pension, references in sub-paragraph (*b*) of the foregoing paragraph to a child included in the person's family shall include a child who, had the person been entitled to injury benefit or disablement benefit in respect of any period to which the sub-paragraph refers, would have been treated as included in his family by virtue of the said section 6(3).

Allocation of contributions for wife or children

15.—(1) Subject to the provisions of this regulation, any sum or sums paid by a person by way of contribution towards either or both of the following, that is to say, the maintenance of his wife and the cost of providing for one or more children, being children to whom this regulation refers, shall be treated for the purposes of section 18(1) of the Act and of section 6(3) and (4) of the Act of 1957 as such contributions, of such respective amounts equal

(a) 8 & 9 Geo. 6. c. 41.

in the aggregate to the said sum or sums, in respect of such of the persons hereinafter mentioned, that is to say, his wife or any child or children to whom this regulation refers, as may be determined by the determining authority so as to secure as large a payment as possible by way of benefit in respect of dependants.

(2) The children to whom the regulation refers are any children who, in the period for which the sum in question is paid by the person, either are included in that person's family or, though not so included, could have been treated under paragraph 3 of the Schedule of the Family Allowances Act 1945, as so included, or would have been, or could have been treated under that paragraph as, so included had the person contributed to the cost of providing for the child at a sufficient weekly rate.

(3) A sum paid by way of contribution towards the maintenance of a wife shall not be treated by virtue of this regulation as a sum paid by way of contribution towards the cost of providing for a child or children, and a sum paid by way of contribution towards the cost of providing for a child or children shall not be so treated as a sum paid by way of contribution towards the maintenance of a wife, unless in either case the child or children is or are included in the family of the wife or, though not so included, could have been treated under paragraph 3 of the Schedule of the Family Allowances Act 1945, as so included.

PART IV

ADJUSTMENT OF BENEFIT FOR SUCCESSIVE ACCIDENTS

Adjustment of benefit for successive accidents where a disablement gratuity is payable

16.—(1) In a case where—

(*a*) a person who is entitled, as a result of an accident, to a disablement pension (hereafter in this paragraph referred to as an "existing pension") which is payable in respect of an assessment for a period which is limited by reference to that person's life, becomes as a result of any other accident subject to a loss of faculty in respect of which a disablement gratuity would, but for this regulation, be payable; and

(*b*) the aggregate amount of the assessment in respect of the existing pension and of the assessment in respect of which such disablement gratuity would be payable would, if it were the amount of the assessment of the extent of the disablement resulting from any one accident suffered by that person, have entitled him to receive a disablement pension at a higher rate than the rate of such existing pension;

then, if, at any time before his claim for disablement benefit is determined, he so elects, that person shall be entitled to a disablement pension in lieu of the said disablement gratuity at a rate equal to the difference between the said higher rate and the rate of the existing pension.

(2) In a case in which a person who is entitled as a result of any accident to a disablement pension would but for the provisions of this paragraph become entitled in respect of any other accident to a disablement gratuity (not being a case in which he is entitled to a disablement pension in lieu of such gratuity)—

(*a*) if the assessment in respect of which such pension is payable to him amounts to not less than 100 per cent., such person shall not be entitled to receive any disablement gratuity in respect of such other accident;

(*b*) in any other case, such person shall not be entitled to receive, by way of disablement gratuity in respect of such other accident, an amount exceeding that which would be payable in respect of an assessment equal to the difference between 100 per cent. and the percentage of the assessment in respect of which such pension is payable to him.

(3) For the respective purposes of the two preceding paragraphs of this regulation—

(*a*) references to an existing pension within the meaning of paragraph (1) of this regulation and to any disablement pension in paragraph (2) respectively shall include references to all such pensions which may be payable to the person concerned, and references to the amount of the assessment in respect of which, and the rate at which, any such pension is payable shall include references to the aggregate amount of the assessments in respect of which or the aggregate of the rates at which all such pensions are payable as aforesaid;

(*b*) the extent by which an assessment is increased by virtue of the provisions of section 16 of the Act (increase of disablement benefit during approved hospital treatment) shall be disregarded.

Adjustment of increase of benefit in respect of successive accidents

17.—(1) Where a person who is entitled to a disablement pension in respect of any accident suffered by him—

(*a*) has received, or is entitled to, a disablement gratuity in respect of any other accident; and

(*b*) as a result of the loss of faculty in respect of which he has received or is entitled to that gratuity, is incapable of work and is likely to remain permanently so incapable;

the provisions of section 13 of the Act (increase of disablement pension by way of unemployability supplement) shall apply as if that loss of faculty resulted from the accident in respect of which such disablement pension is payable.

(2) Where a person—

(*a*) would be entitled to a disablement pension in respect of any accident but for the provisions of section 29(1)(*a*) of the Act (limitations on the aggregate weekly rates of benefit payable for the same period in respect of successive accidents); and

(*b*) by reason only of those provisions is unable to satisfy the conditions for the receipt of an increase of that pension by way of unemployability supplement under section 13 of the Act;

the provisions of the said section 13 shall apply as if such disablement pension were payable to that beneficiary.

(3) At any time at which the sum total of the several assessments in respect of two or more accidents suffered by any person amounts to not less than 100 per cent. during the continuance of the periods respectively taken into account thereby, the weekly rate of any disablement pension which is payable to him may be increased in accordance with the provisions of section 15 of the Act if he requires constant attendance as a result of the loss of faculty resulting from any one or more of such accidents, whether or not that pension is payable in respect of an assessment of 100 per cent. or in respect of that loss of faculty.

(4) A beneficiary who has suffered two or more accidents shall not be entitled at any time to more than one of each of the following increases of benefit, that is to say—

(*a*) by way of unemployability supplement, under section 13 of the Act;

(*b*) in respect of the need of constant attendance, under section 15 of the Act;

(*c*) in respect of a child, under section 17 of the Act;

(*d*) in respect of an adult dependant, under section 18 of the Act.

PART V

DEATH BENEFIT

Widow's pension

18. Section 19 of the Act (death benefit for widows) shall have effect—

(*a*) as if the reference in section 19(1) (conditions of entitlement to such benefit) to periodical payments of not less than the prescribed amount were a reference to periodical payments which would amount to an average weekly rate of not less than 5 shillings;

(*b*) during the 13 weeks next following the death of the deceased, as if a reference to the sum of 95 shillings were substituted for the references in section 19(3) (weekly rates of pensions payable to widows) to the sums of 75 shillings and 20 shillings respectively. 1965/36

Widows to be treated as entitled to a pension for the purposes of right to a remarriage gratuity

19. A widow who would be entitled to a pension under section 19 of the Act immediately before her remarriage but for the operation of section 4(2) of the Family Allowances and National Insurance Act 1961(a), (which provides among other things that a pension under section 19 of the Act shall not be payable to a woman while she is cohabiting with a man not her husband) shall be treated as if she were entitled thereto for the purposes of a right to a gratuity under the said section 19 on her remarriage.

Death benefit for relatives

20. For the purposes of section 23 of the Act (death benefit for such relatives of a deceased insured person as may be prescribed), the relatives shall be the persons who bear any such relationship to the deceased as is specified in Schedule 5 of these regulations (otherwise than as a parent within the meaning of section 22 of the Act (death benefit for parents)), and shall include any person who is such a relative by adoption and any person who would be such a relative if some person born illegitimate had been born legitimate.

Death benefit under section 23 for a posthumous son or daughter

21. The provisions of section 23 of the Act shall apply to a posthumous son or daughter (whether legitimate or illegitimate) of a deceased man as if—

(*a*) for the conditions specified in subsection (1) there were substituted the condition that the mother of such son or daughter was at the deceased's death being wholly or mainly maintained by the deceased, or would but for the relevant accident have been so maintained; and

(a) 10 & 11 Eliz. 2. c. 6.

(*b*) the conditions specified in paragraphs (*a*) and (*b*) of subsection (2), and every reference to death benefit by way of a gratuity or an allowance and to the several conditions for the receipt of such benefit, were omitted ; and

(*c*) in subsection (6)—

(i) the references to a relative who was a child at the deceased's death were references to a relative who is a posthumous son or daughter of the deceased ; and

(ii) for paragraph (*b*) there were substituted the following paragraph:—

"(*b*) unless such relative is on ceasing to be a child permanently incapable of self-support by reason of some physical or mental infirmity which is congenital in origin ;".

Calculation of the amount of parent's or relative's gratuity

22. For the purposes of section 35(4)(*b*) of the Act (amount of death benefit payable by way of a gratuity to a beneficiary as a parent or relative other than a beneficiary who, at the deceased's death, was, or would but for the relevant accident have been, wholly maintained by the deceased), the maximum amount of any such gratuity payable to a beneficiary as a parent within the meaning of section 22 of the Act or as a relative prescribed for the purposes of section 23 of the Act shall be determined in accordance with the provisions of Schedule 6 of these regulations.

Application of limits imposed on death gratuities by Schedule 4 of the Act

23. In any case in which, but for the provisions of paragraph 5 of Schedule 4 of the Act (provisions limiting the amount of death benefit by way of gratuities payable in respect of any death), the aggregate amount of death benefit which would be payable to two or more persons by way of parents' or relatives' gratuities, as the case may be, would exceed the total amount respectively specified in relation to such gratuities in sub-paragraphs (1) and (2) of the said paragraph 5, being—

(*a*) 78 pounds, in relation to parents' gratuities ; and

(*b*) 52 pounds or 104 pounds (as the case may be) in relation to relatives' gratuities ;

the amount payable to any person by way of a parent's or a relative's gratuity (as the case may be) shall, subject to the provisions of the Act limiting the amount so payable to any one person, be determined in accordance with the provisions of Schedule 7 of these regulations.

Death within prescribed period

24. For the purposes of Schedule 4 of the Act (provisions limiting the benefit payable in respect of any death), and by virtue of the provisions of paragraph 7 of that Schedule, a person entitled, or who may become entitled, to any benefit mentioned in that Schedule in respect of any death shall be disregarded if he dies within 6 months after the deceased's death without being awarded that benefit.

Priority of title to allowance or allowances under section 21

25. Where in respect of the same death each of two or more persons satisfies the conditions of section 21 of the Act for the receipt of—

(*a*) an allowance in respect of the same child ; or

(*b*) an allowance at the rate applicable to an only, elder or eldest child in respect of different children;

the person entitled to the allowance, or, as the case may be, the allowance at the rate applicable to an only, elder or eldest child, shall as between such persons be determined, subject to the provisions of paragraph 1(2)(*a*) of Schedule 4 of the Act (priority of title to such an allowance of a person who is entitled to death benefit as the widow or widower of the deceased), in accordance with the order of priority specified in Schedule 8 of these regulations.

PART VI

MISCELLANEOUS PROVISIONS

Provisions relating to free and continuous medical treatment as an in-patient

26.—(1) For the purposes of section 15 of the Act (increase of disablement pension in respect of the need of constant attendance otherwise than for any period during which the beneficiary is receiving free of charge medical treatment as an in-patient in a hospital or similar institution), a person who, for the purpose of receiving medical treatment as an in-patient, avails himself of the hospital services provided under Part II of the National Health Service Act 1946(**a**) or of the National Health Service (Scotland) Act 1947(**b**), shall only be treated as not receiving such treatment free of charge if he is paying or has paid charges in respect thereof which are designed to cover the whole cost of the accommodation or services provided for that person as part of the said hospital services.

(2) A person who receives medical treatment as an in-patient for two or more distinct periods separated by an interval of less than a week in each case shall be treated as receiving such treatment continuously from the beginning of the first period until the end of the last for all the purposes of Part II of the Act (general conditions of benefit) other than the purpose of an increase under the said section 15 for a person in receipt of a disablement pension the degree of whose disablement has, irrespective of his having become such an inmate, been assessed at 100 per cent., in respect of any day during which he is absent from the hospital or similar institution and his absence therefrom is certified by the appropriate authority thereof to be beneficial for him.

Provisions as to maintenance for the purposes of increase of benefit in respect of dependants

27.—(1) For the purposes of the provisions of section 18 of the Act (increase of benefit in respect of an adult dependant), and subject to paragraphs (3) and (4) of this regulation, a beneficiary shall not be deemed to be wholly or mainly maintaining another person unless the beneficiary—

(*a*) when entitled to benefit to which section 18 applies, contributes towards the maintenance of that person an amount not less than the amount of the increase of benefit received in respect of that person; and

(*b*) when in employment before the date of the relevant accident (except in a case where the dependency did not arise until after that date), contributed more than one half of the actual cost of the maintenance of that person.

(2) For the purposes of section 17(2) of the Act (circumstances in which a child of the family of a woman residing with a beneficiary shall be treated as a child of that beneficiary's family), and subject to the following provisions of this regulation, a beneficiary shall not be deemed to have been wholly

(**a**) 9 & 10 Geo. 6. c. 81. (**b**) 10 & 11 Geo. 6. c. 27.

or mainly maintaining such a child throughout the 6 months ending with the date of the relevant accident unless the beneficiary, when in employment during that period, contributed more than one half of the actual cost of maintenance of that child.

(3) In a case where—

(*a*) a person is partly maintained by each of two or more other persons (being persons entitled to benefit either under the Act or the National Insurance Act of whom at least one is entitled to benefit under the Act) each of whom would be entitled to an increase of benefit under the relevant Act in respect of that person if he were wholly or mainly maintaining that person; and

(*b*) the contributions made by those other persons towards the maintenance of that person amount in the aggregate to sums which would, if they had been contributed by one of them, have been sufficient to satisfy the foregoing requirements of this regulation;

that person shall be deemed to be wholly or mainly maintained by that one of the said other persons who—

(i) ordinarily made the larger or largest contributions to the maintenance of that person; or

(ii) in a case where no person ordinarily made the larger or largest contributions as aforesaid, is the elder or eldest of the said other persons; or

(iii) in any case, is a person designated in that behalf by a notice in writing signed by a majority of the said other persons and addressed to the Minister;

if and so long as that one of the said other persons is entitled to benefit to which section 17 or section 18 of the Act applies and, in a case to which the said section 18 applies, satisfies the condition contained in paragraph (1)(*a*) of this regulation.

(4) A notice and the designation contained therein given under the foregoing paragraph may be revoked at any time by a fresh notice signed by a majority of such persons and another one of their number may be designated thereby and accordingly the provisions of that paragraph shall apply to the one so last designated.

Provisions as to maintenance for purposes of death benefit

28. For the purposes of the provisions of Part II of the Act which relate to death benefit, a deceased person shall not be deemed to have been, at his death or for any period before his death—

(1) wholly maintaining another person unless he normally contributed the whole of the actual cost of that other person's maintenance;

(2) mainly maintaining another person unless he normally contributed more than one half of the actual cost of that other person's maintenance;

(3) to a substantial extent maintaining another person unless he normally contributed not less than an average weekly amount of 5 shillings towards the cost of that other person's maintenance:

Provided that—

(*a*) in the case of a posthumous son or daughter of the deceased, such son or daughter shall be deemed to have been wholly maintained by the deceased at his death if the condition specified in regulation 21(*a*) is satisfied in his case;

(*b*) where—

(i) a person was partly maintained by each of two or more insured persons of whom the first mentioned person was a parent within the meaning of section 22 of the Act or a relative prescribed for the purposes of section 23 of the Act, as the case may be; and

(ii) the insured persons have died as the result of accidents against which they were insured under the Act;

the parent or relative may by notice in writing designate one of those insured persons and shall thereafter be treated as having received from the person so designated contributions to his maintenance equal to the aggregate amount which the said insured persons were together contributing before the accidents happened, and as having received nothing from the others.

Exception from disqualification under section 32(1) *of the Act*

29. Regulations 30 and 31 of these regulations shall have effect to except benefit from the operation of section 32(1) of the Act which, as amended by the Statute Law Revision Act 1953(a) provides that (except where regulations otherwise provide) a person shall be disqualified for receiving any benefit, and an increase of benefit shall not be payable in respect of any person as the beneficiary's wife or husband, for any period during which that person is absent from Great Britain or is undergoing imprisonment or detention in legal custody.

Exception for a period of absence abroad

30.—(1) A person shall not be disqualified for receiving injury benefit—

(*a*) for any period during which he is temporarily absent from Great Britain, being in the Irish Republic, the Isle of Man or the Channel Islands; or

(*b*) for any period during which that person is temporarily absent from Great Britain (not being in the Irish Republic, the Isle of Man or the Channel Islands) for the purpose of undergoing medical treatment which is appropriate to the relevant injury and which is approved by the Minister.

(2) A person shall not be disqualified for receiving—

(*a*) disablement benefit (other than any increase thereof) for any period during which he is absent from Great Britain;

(*b*) an increase of disablement pension by way of unemployability supplement under section 13 or under section 82 of the Act—

(i) by reason of being temporarily absent from Great Britain (being in the Isle of Man or the Channel Islands) during the period of 6 months from the date on which such absence commences; or

(ii) by reason of being temporarily absent from Great Britain (not being in the Isle of Man or the Channel Islands) for the specific purpose of being treated for incapacity which commenced before he left Great Britain, during such period as the Minister may allow, having regard to the particular circumstances of the case; or

(iii) by reason of being temporarily absent from Great Britain for any period in respect of which an increase of disablement pension in respect of the need of constant attendance is payable to him, or, but for the proviso to section 15(3) of the Act, would be payable to him;

(a) 2 & 3 Eliz. 2. c. 5.

(*c*) an increase of disablement pension in respect of the need of constant attendance under section 15 or under section 82 of the Act by reason of being temporarily absent from Great Britain during the period of 6 months from the date on which such absence commences;

(*d*) an increase of disablement pension in respect of a spouse under section 18 or under section 82 of the Act by reason either of the spouse or that person being absent from Great Britain, provided that person is entitled to receive an unemployability supplement and is residing with the spouse;

(*e*) an increase of disablement pension in respect of a child or children under section 17 or under section 82 of the Act by reason of that person being absent from Great Britain, provided that person is entitled to receive an unemployability supplement.

(3) A person shall not be disqualified for receiving death benefit for any period during which he is absent from Great Britain.

(4) A husband or wife shall not be disqualified for receiving an increase of injury benefit in respect of his or her spouse by reason of the spouse being absent from Great Britain, provided the spouse is residing with the husband or wife, as the case may be.

Exception from disqualification for imprisonment, etc.

31.—(1) A person shall not be disqualified for receiving any benefit nor shall an increase of benefit not be payable in respect of any person as the beneficiary's wife or husband, for any period during which that person is undergoing imprisonment or detention in legal custody in connection with a charge brought, or intended to be brought, against him in criminal proceedings, or pursuant to any sentence or order for detention made by a court in such proceedings, unless, in relation to him, a penalty as defined in paragraph (4) of this regulation is imposed at the conclusion of those proceedings.

(2) A person shall not be disqualified for receiving disablement benefit, other than any increase thereof, for any period during which he is undergoing imprisonment or detention in legal custody:

Provided that the amount payable by virtue of this paragraph by way of any disablement pension or pensions in respect of any period, other than a period in respect of which that person is excepted from disqualification by virtue of the provisions of paragraph (3) of this regulation, during which that person is and has continuously been undergoing imprisonment or detention in legal custody shall not exceed in the aggregate the amount of 100 pounds or the total amount payable by way of such pension or all such pensions for a period of one year, whichever is the less.

(3) A person shall not be disqualified for receiving any benefit, nor shall an increase of benefit not be payable in respect of any person as the beneficiary's wife or husband, for any period during which that person is undergoing detention in legal custody after the conclusion of criminal proceedings if it is a period during which he is liable to be detained in a hospital or similar institution in Great Britain as a person suffering from mental disorder unless—

(*a*) pursuant to any sentence or order for detention made by the court at the conclusion of those proceedings, he has undergone detention by way of penalty in a prison, a detention centre, a Borstal institution, a remand home, or an approved school; and

(*b*) he was removed to the hospital or similar institution while liable to be detained as a result of that sentence or order, and, in the case of a person who is liable to be detained in the hospital or similar institution by virtue of any provision of the Mental Health Act 1959(a), or the Mental Health (Scotland) Act 1960(b), a direction restricting his discharge has been given under either of these Acts and is still in force:

Provided that where, as respects a person in relation to whom each of the conditions specified in sub-paragraphs (*a*) and (*b*) of this paragraph is satisfied, a certificate, given by or on behalf of the Secretary of State and furnished to the Minister, shows the earliest date on which that person would have been expected to be discharged from detention pursuant to the said sentence or order if he had not been transferred to a hospital or similar institution, the said conditions shall be deemed not to be satisfied in relation to that person as from the day next following that date.

(4) For the purposes of paragraph (1) of this regulation, "penalty" means a sentence of imprisonment, corrective training, preventive detention, Borstal training, or detention under section 53 of the Children and Young Persons Act 1933(c), or under section 57 of the Children and Young Persons (Scotland) Act 1937(d), or an order for detention in a detention centre, a remand home or an approved school, but does not include any sentence of imprisonment or order for detention in default of payment of a sum adjudged to be paid on conviction.

(5) For the purposes of paragraph (3) of this regulation—

(*a*) "hospital or similar institution" means any place (not being a prison, a detention centre, a Borstal institution, a remand home, a remand centre, or an approved school and not being at or in any such place) in which persons suffering from mental disorder are or may be received for care or treatment;

(*b*) "court" means any court in the United Kingdom, the Channel Islands or the Isle of Man or in any place to which the Colonial Prisoners Removal Act 1884(e), applies or any naval court-martial, army court-martial or air force court-martial within the meaning of the Courts-Martial (Appeals) Act 1951(f), as originally enacted or as subsequently amended, or the Court constituted by that Act;

(*c*) in relation to a person who is liable to be detained in Great Britain as a result of any order made under the Colonial Prisoners Removal Act 1884, references to a prison shall be construed as including references to a prison within the meaning of that Act;

(*d*) a person who is liable to be detained by virtue of any provision of the Mental Health Act 1959, or the Mental Health (Scotland) Act 1960, shall be treated as if a direction restricting his discharge had been given under one or other of those Acts if for the purposes thereof he is to be so treated.

(6) In this regulation—

(*a*) references to mental disorder shall be construed as including references to any mental disorder within the meaning of the Mental Health Act 1959, or the Mental Health (Scotland) Act 1960;

(*b*) "approved school" means a school approved under section 79 of the Children and Young Persons Act 1933, or under section 83 of the Children and Young Persons (Scotland) Act 1937;

(a) 7 & 8 Eliz. 2. c. 72.
(b) 8 & 9 Eliz. 2. c. 61.
(c) 23 & 24 Geo. 5. c. 12.
(d) 1 Edw. 8 & 1 Geo. 6. c. 37.
(e) 47 & 48 Vict. c. 31.
(f) 14 & 15 Geo. 6. c. 46.

(*c*) criminal proceedings against any person shall be deemed to be concluded upon his being found insane in those proceedings so that he cannot be tried or his trial cannot proceed.

Suspension of payment of benefit

32.—(1) The payment of any benefit payable to any person shall be suspended whilst that person is undergoing imprisonment or detention in legal custody:

Provided that—

(*a*) this paragraph shall not apply as respects a person who, although undergoing detention in legal custody, is excepted from disqualification for receiving benefit by virtue of paragraph (3) of the preceding regulation; and

(*b*) the payment to any person of any benefit payable otherwise than in respect of a period during which he is and has continuously been undergoing imprisonment or detention in legal custody shall not be suspended by virtue of this paragraph if another person (who is approved by the Minister) is appointed by that person to receive such benefit on his behalf.

(2) Where, by virtue of this regulation, payment of benefit is suspended for any period, the period of suspension shall not be taken into account in calculating any period under the provisions of regulation 20 of the National Insurance (Industrial Injuries) (Claims and Payments) Regulations 1964(a) (extinguishment of right to sums payable by way of benefit payment of which is not obtained within the prescribed time).

Provisions as to incapacity for work

33.—(1) A person, having suffered an industrial accident, who apart from the provisions of this paragraph would not be treated as incapable of work as a result thereof, shall, for the purposes of the Act, be so treated in respect of any day on which as a result of that accident he satisfies the conditions specified in paragraph (*a*) or (*b*) of regulation 3 or in regulation 3A of the National Insurance (Unemployment and Sickness Benefit) Regulations 1948(b), as amended(c), (conditions to be satisfied in order that a person may be deemed incapable of work for the purposes of the National Insurance Act).

(2) Subject to the provisions of section 11(2) of the Act (incapacity for work on the day of the accident) a day shall not be treated for the purposes of benefit as a day of incapacity for work if it is a day which in the opinion of the determining authority would not be treated under regulation 6(1) of the said regulations (days not to be treated as days of unemployment or incapacity for work) as—

(*a*) a day of interruption of employment by reason of sub-paragraph (*a*) thereof; or

(*b*) a day of incapacity for work by reason of sub-paragraph (*f*) or (*g*) thereof.

(3) A day shall not be treated for the purposes of benefit as a day of incapacity for work if it is a day in respect of which a person has not claimed, is disqualified for receiving, or forfeits injury benefit:

(a) S.I. 1964/73 (1964 I, p. 115).
(b) S.I. 1948/1277 (Rev. XVI, p. 212: 1948 I, p. 2676).
(c) The relevant amending instrument is S.I. 1949/1983 (1949 I, p. 2700).

Provided that the fact that a day has not been so treated as a day of incapacity for work shall be disregarded for the purposes of section 12(1A) of the Act (period for which disablement benefit is not available).

Night workers

34.—(1) The provisions of this regulation shall apply in relation to night workers for the purposes of benefit.

(2) Subject to the provisions of the next following paragraph, where a period of employment begun on any day extends over midnight into the following day, the person employed shall, in respect of such period—

(i) be treated as having been employed on the first day only, if the employment before midnight is of longer duration than that after midnight, and, in that case, the first day shall not be treated as a day of incapacity for work ; or

(ii) be treated as having been employed on the second day only, if the employment after midnight is of longer duration than that before midnight, or if the employments before and after midnight are of equal duration, and, in either of these cases, the second day shall not be treated as a day of incapacity for work.

(3) Where a person—

(*a*) suffers an industrial accident during any such period of employment as is referred to in the preceding paragraph ; and

(*b*) is thereby immediately rendered incapable of work ;

the provisions of that paragraph shall apply, subject to the following qualifications :—

(i) if the period of employment before midnight would, apart from the onset of the incapacity, have been of longer duration than that after midnight, the first of the two days shall be treated as the day of the accident and the person employed shall in respect of such period be treated as employed on that day only ; and

(ii) nothing in the said paragraph shall be taken as preventing the day of the accident or the day which is to be treated as the day of the accident from being treated as a day of incapacity for work.

(4) Where a person—

(*a*) is by virtue of any of the foregoing provisions of this regulation to be treated as having been employed on one day only of two days ; and

(*b*) throughout that part of the other of those two days during which that person is not employed, is, or is treated in accordance with regulations as, incapable of work as a result of an industrial accident ;

that person shall be treated as being so incapable of work throughout that other of those two days.

(5) Where a person—

(*a*) is, by virtue of the provisions of paragraph (2)(ii) of this regulation, to be treated as having been employed on the second day only of two days ; and

(*b*) throughout the day immediately preceding the first of those two days is, or is treated in accordance with regulations as, incapable of work as a result of an industrial accident ;

that person shall be treated as being so incapable of work throughout the first of those two days.

Application of regulations 33 and 34 to prescribed disease cases

35.—(1) Save as provided in the following paragraphs of this regulation, the last two foregoing regulations shall apply to a person who has contracted or sustained a disease or injury against which he is insured under Part IV of the Act (hereinafter in this regulation referred to as a prescribed disease case) as they apply to a person who has suffered an industrial accident, and the references to an industrial accident in regulation 33 shall be construed accordingly.

(2) In considering the application to a prescribed disease case of regulation 16 of the National Insurance (Industrial Injuries) (Prescribed Diseases) Regulations 1959(a), (cases where disablement benefit is not preceded by injury benefit), the provisions of regulation 33(3) shall be disregarded.

(3) Regulation 34(3) shall not apply in a prescribed disease case.

PART VII

ADJUSTMENTS IN RESPECT OF OVERLAPPING BENEFITS

Definitions for the purposes of this Part of these regulations

36.—(1) In this part of these regulations, unless the context otherwise requires,—

"personal benefit" means that benefit, pension or allowance (whether under the Act or otherwise) which (apart from this Part of these regulations) is payable to a person otherwise than in respect of another person who is a child or an adult dependant;

"dependency benefit" means that benefit, pension or allowance (whether under the Act or otherwise) which (apart from this Part of these regulations) is payable to a person in respect of another person who is a child or an adult dependant;

"death benefit" means any benefit, pension or allowance (whether under the Act or otherwise) which (apart from this Part of these regulations) is payable in respect of the death of any person;

"personal death benefit" means any personal benefit by way of death benefit;

"disablement pension" (not being disablement pension under the Act) includes a disablement payment on a pension basis and retired pay or a pension in respect of any disablement, wound, injury or disease;

"treatment allowance" means an allowance payable to a person undergoing a course of medical, surgical or rehabilitative treatment in consequence of a disablement in respect of which a pension under a Personal Injuries Scheme, Service Pensions Instrument or 1914-1918 War Injuries Scheme may be or has been paid or an allowance payable to any such person pending the determination of the question whether he is entitled to receive such a pension;

the expressions "Personal Injuries Scheme", "Service Pensions Instrument", "1914-1918 War Injuries Scheme", "training scheme" and "training allowance" have the meanings which are assigned to them by the National Insurance (Overlapping Benefits) Regulations 1948(b).

(a) S.I. 1959/467 (1959 II, p. 1943). (b) S.I. 1948/2711 (Rev. XVI, p. 196: 1948 I, p. 2657).

(2) Benefit by way of an allowance under section 24 of the Act payable to a woman having the care of a child or children shall be treated as personal benefit for the purposes of this Part of these regulations.

Adjustment of personal benefit under the Act where other personal benefit is payable

37. Where, for any period, any person satisfies the conditions for the receipt of any personal benefit by way of unemployability supplement under section 13 of the Act, or increase of disablement benefit during approved hospital treatment under section 16 of the Act, that personal benefit shall be adjusted—

(*a*) in the case of an unemployability supplement, by reference to the weekly rate at which any other personal benefit is payable to that person for that period by way of an allowance on account of unemployability under any Personal Injuries Scheme or Service Pensions Instrument or any 1914-1918 War Injuries Scheme;

(*b*) in the case of an increase of disablement benefit during approved hospital treatment, by reference to the weekly rate at which any other personal benefit by way of treatment allowance is payable to that person for that period under any Personal Injuries Scheme or Service Pensions Instrument or any 1914-1918 War Injuries Scheme;

so as to be payable (if at all) for that period at a weekly rate arrived at by deducting from the weekly rate at which it would otherwise have been so payable the said weekly rate of the other personal benefit by reference to which the personal benefit under the Act is required by this regulation to be adjusted.

Adjustment of dependency benefit under the Act where other dependency benefit (whether under the Act or otherwise) is payable

38.—(1) Where, for any period, the conditions for the receipt by any person of any dependency benefit under the Act in respect of a child or an adult dependant are satisfied, that dependency benefit shall be adjusted—

(*a*) in the case of dependency benefit in respect of a child, by reference to the weekly rate at which any other dependency benefit specified in paragraph (2) of this regulation is payable for that period in respect of that child;

(*b*) in the case of dependency benefit in respect of an adult dependant, by reference to the weekly rate at which any other dependency benefit so specified is payable for that period to that person in respect of that or any other adult dependant or to any person in respect of that adult dependant;

so as to be payable (if at all) for that period at a weekly rate arrived at by deducting from the weekly rate at which it would otherwise have been so payable the said weekly rate of the other dependency benefit by reference to which the dependency benefit under the Act is required by this regulation to be adjusted.

(2) For the purposes of this regulation the specified dependency benefits shall be any dependency benefit under the Act or any dependency benefit under any Personal Injuries Scheme or Service Pensions Instrument or any 1914-1918 War Injuries Scheme or any training scheme, except any

dependency benefit by way of an allowance in respect of a child payable for the purpose of the education of such a child.

(3) The foregoing provisions of this regulation shall not operate to require the making of any adjustments as between two dependency benefits of which one is dependency benefit by way of an increase of benefit under section 18(1)(*d*) of the Act which is, or but for those provisions would be, payable to a person (hereafter in this paragraph referred to as "the beneficiary") in respect of another person who is employed by, but is not residing with, the beneficiary, and the other is any dependency benefit which is specified in paragraph (2) of this regulation and is, or but for those provisions would be, payable in respect of that other person to some person other than the beneficiary.

Adjustment of dependency benefit under the Act where personal benefit is payable

39.—(1) Subject to the provisions of paragraph (3) of this regulation, where for any period any one or more of the personal benefits specified in paragraph (2) of this regulation is or are payable to any person—

(*a*) if the weekly rate or the aggregate weekly rate at which that personal benefit or those personal benefits (if more than one) is or are payable for that period (hereafter in this regulation called "the weekly rate of personal benefit") is equal to or exceeds the weekly rate of any dependency benefit under the Act which, apart from this regulation, is payable for that period (hereafter in this regulation called "the weekly rate of dependency benefit"), there shall not be paid in respect of that person for that period any dependency benefit under the Act; and

(*b*) in any other case, there shall not be paid in respect of that person for that period any dependency benefit under the Act at a weekly rate exceeding the difference between the weekly rate of personal benefit and the weekly rate of dependency benefit:

Provided that nothing in this paragraph shall require that any dependency benefit shall be adjusted by reason of any one or more personal benefits, in a case where the weekly rate of personal benefit is less than 26 shillings a week, below a weekly rate equal to the difference between the weekly rate of personal benefit and 26 shillings.

(2) For the purpose of this regulation the specified personal benefits shall be—

(*a*) any personal benefit by way of injury benefit, unemployability supplement or death benefit under the Act;

(*b*) any personal benefit (not being home confinement grant, maternity grant or death grant) under the National Insurance Act;

(*c*) any personal benefit by way of unemployability supplement or any personal death benefit by way of pension or allowance (not being a grant payable by reason of the beneficiary being in receipt of a pension and being over 70 years of age or a pension or allowance calculated by reference to the necessities of the beneficiary), under any Personal Injuries Scheme or Service Pensions Instrument or any 1914–1918 War Injuries Scheme; and

(*d*) any personal benefit by way of training allowance under any training scheme.

(3) The provisions of this regulation shall not apply in relation to any dependency benefit by way of an increase of benefit under section 18(1)(*d*) of the Act in respect of a person who is employed by, but is not residing with, the beneficiary.

Dependency benefit under the Act not to be paid where a training allowance is payable

40. Where, for any period, any personal benefit by way of training allowance is payable to any person under any training scheme there shall not be paid to that person for that period any dependency benefit under the Act.

Persons to be treated for certain purposes as entitled to benefit adjusted under this Part of these regulations

41. Any person who would be entitled to any benefit under the Act but for this Part of these regulations shall be treated as if he were entitled thereto for the purposes of any rights or obligations under the Act (whether of himself or some other person) which depend on his being so entitled, other than the right to payment of that benefit.

PART VIII

PAYMENTS UNDER THE ACT TO CERTAIN PERSONS WHO CONTRACTED DISEASES OR WERE INJURED BEFORE 5TH JULY 1948

Payments by way of unemployability supplement and increases for children and adult dependants for persons entitled to workmen's compensation

42.—(1) A person who—

(*a*) is or has been on or after the 5th July 1948(**a**) entitled in respect of any injury or disease to weekly payments by way of compensation under the Workmen's Compensation Acts or under any contracting out scheme duly certified thereunder; and

(*b*) as the result of that injury or disease could, for the purposes of section 13 of the Act, be treated as being incapable of work and likely to remain permanently so incapable;

shall have the like right to payments under the Act by way of unemployability supplement, together with the like right to payments under the Act in respect of a child or adult dependant, as if the injury or disease were one in respect of which a disablement pension were for the time being payable.

(2) A person shall not be entitled—

(*a*) at any time to payment in accordance with the provisions of this regulation in respect of more than one injury or disease;

(*b*) to a payment in accordance with the provisions of this regulation during any period for which he is entitled to an increase of disablement pension by way of unemployability supplement under section 13 of the Act;

(*c*) to a payment in respect of a child in accordance with the provisions of this regulation during any period for which an increase of an allowance is payable in respect of that child under the Pneumoconiosis and Byssinosis Benefit Scheme 1952(**b**) as amended(**c**).

Payments in respect of the need of constant attendance for persons entitled to workmen's compensation

43.—(1) A person who—

(*a*) is or has been on or after the 5th July 1948 entitled in respect of any injury or disease to weekly payments by way of compensation under the Workmen's Compensation Acts or under any contracting out scheme duly certified thereunder; and

(**a**) *See* S.I. 1948/53 (Rev. XVI, p. 422: 1948 I, p. 2914).
(**b**) S.I. 1952/373 (1952 III, p. 3966).
(**c**) The relevant amending instrument is S.I. 1954/1444 (1954 II, p. 2964).

(*b*) as the result of that injury or disease—

(i) is subject to disabilities which are such that if they had resulted from an accident against which he had been insured under the Act the extent of the resulting disablement would be assessed at 100 per cent.; and

(ii) requires constant attendance;

shall have the like right to payments in respect of the need of such constant attendance as if the said injury or disease were one in respect of which a disablement pension were for the time being payable in respect of an assessment of 100 per cent.

(2) References in this regulation to an injury or disease in respect of which a person is or has been entitled as aforesaid to weekly payments by way of compensation shall be construed as including every such injury or disease in respect of which he is so entitled, and references in this regulation to the disabilities resulting from an injury or disease and the extent of the resulting disablement shall be construed accordingly.

Payment by way of unemployability supplement and in respect of the need of constant attendance to certain former constables and firemen

44.—(1) The following provisions of this regulation shall apply to a former constable or fireman who is or has been on or after the 5th July 1948 entitled as such former constable or fireman to payments on account of an injury pension payable under or by virtue of any enactment in respect of an injury received or disease contracted by him before that date or in respect of his retirement in consequence of such an injury or disease.

(2) If as the result of the said injury or disease he could, for the purposes of section 13 of the Act, be treated as being incapable of work and likely to remain permanently so incapable, he shall have, as from the 19th May 1955, the like right to payments under the Act by way of unemployability supplement as if the injury or disease were one in respect of which a disablement pension were for the time being payable:

Provided that payment under this paragraph shall be adjusted by reference to the said injury pension so as to be payable at a weekly rate of 67 shillings and 6 pence, and a person shall not be entitled under the provisions of this paragraph to payment during any period for which he is entitled to an increase of disablement pension by way of unemployability supplement under section 13 of the Act or under regulation 42 of these regulations.

(3) The provisions of regulation 43 of these regulations (which confer a right in certain cases to payments in respect of the need of constant attendance) shall apply to him, as they apply to a person who is or has been entitled on or after the 5th July 1948 to weekly payments under the Workmen's Compensation Acts.

(4) In this regulation—

"former constable or fireman" means a person who has been—

(*a*) a member of a police force maintained for any police area mentioned in Schedule 3 of the Police Pensions Act 1921(**a**), or maintained by virtue of any scheme under the Police Act 1946(**b**), or under the Police (Scotland) Act 1946(**c**);

(*b*) a special constable appointed under the Special Constables Act 1831(**d**), section 196 of the Municipal Corporations Act 1882(**e**), or in Scotland under the Burgh Police (Scotland) Act 1892(**f**), the

(**a**) 11 & 12 Geo. 5. c. 31.
(**b**) 9 & 10 Geo. 6. c. 46.
(**c**) 9 & 10 Geo. 6. c. 71.
(**d**) 1 & 2 Will. 4. c. 41.
(**e**) 45 & 46 Vict. c. 50.
(**f**) 55 & 56 Vict. c. 55.

corresponding provisions of any local Act or the Police (Scotland) Act 1956(a);

(*c*) a member of a fire brigade maintained by a local authority; or

(*d*) a member of the National Fire Service.

"Injury pension" has the same meaning as in section 6 of the National Insurance (Industrial Injuries) Act 1953(b), but shall not include any pension awarded under a scheme made under the Personal Injuries (Emergency Provisions) Act 1939(c).

Application of the provisions of the Act and regulations

45. Subject to the provisions of the three last preceding regulations, the provisions of the Act and of the regulations for the time being in force thereunder relating to benefit and to the making of claims and payments and the determination of claims and questions, in so far as those provisions apply in relation to unemployability supplement or to an increase of a disablement pension in respect of the need of constant attendance, or in respect of a child or adult dependant shall apply in relation to any payment under any of the three last preceding regulations as if such payments were an unemployability supplement under section 13 of the Act or an increase of a disablement pension in respect of the need of constant attendance under section 15 of the Act, or in respect of a child or adult dependant under sections 17 or 18 of the Act, as the case may be.

Revocation and transitional provisions

46. The regulations specified in column 1 of Schedule 9 of these regulations are hereby revoked to the extent mentioned in column 3 of that Schedule:

Provided that—

(*a*) anything done under the regulations so revoked and of effect immediately before the coming into operation of these regulations shall, in so far as is necessary for securing the continuity of these regulations with the regulations they revoke, continue to have effect as if done under these regulations; and

(*b*) the regulations so revoked shall continue to apply for the purpose of determining the rate or amount of any benefit payable in respect of any period before, or in respect of any assessment of disablement taking into account any period commencing before, the date of the coming into operation of these regulations.

Given under the official seal of the Industrial Injuries Joint Authority.

(L.S.)

D. J. Carter,
Secretary,
Industrial Injuries Joint Authority.

31st March 1964.

Given under the official seal of the Minister of Pensions and National Insurance.

(L.S.)

Richard Wood,
Minister of Pensions and National Insurance.

31st March 1964.

(a) 4 & 5 Eliz. 2. c. 26. (b) 1 & 2 Eliz. 2. c. 43. (c) 2 & 3 Geo. 6. c. 82.

SCHEDULE 1

PROVISIONS CONFERRING POWERS EXERCISED IN MAKING THESE REGULATIONS

PART I

Provisions conferring powers exercised by the Industrial Injuries Joint Authority

Enactment	Relevant Provisions	Relevant Amending Enactments
The National Insurance (Industrial Injuries) Act 1946(a)	Sections 12 and 15...	National Insurance Act 1963(b), Schedule 3, Part II
	Section 14(5) ...	—
	Section 18	National Insurance Act 1957(c), Schedule, paragraph 1
	Section 19	Family Allowances and National Insurance Act 1956(d), Schedule, paragraph 9
	Sections 23, 29 and 30	—
	Section 33	Family Allowances and National Insurance Act 1961(e), Schedule 3, paragraph 13(2)
	Section 34	—
	Section 35	National Insurance Act 1957(c), Section 6(6) and Schedule, paragraph 1(*b*)
	Section 79	—
	Section 82	National Insurance (Industrial Injuries) Act 1953(f), Section 6
	Section 86	—
	Schedule 4, paragraphs 1(2)(*b*), 5(3) and 7(1)	—

PART II

Provisions conferring powers exercised by the Minister of Pensions and National Insurance

Enactments	Relevant Provisions	Relevant Amending Enactments
The National Insurance (Industrial Injuries) Act 1946(a)	Section 14(2A) ...	*See* National Insurance (Industrial Injuries) Act 1948(g), Section 1
	Section 16	National Insurance (Industrial Injuries) Act 1953(f), Section 3(3)
	Section 32(1) ...	—
The National Insurance (Industrial Injuries) Act 1953(f)	Section 3(2) ...	—
The National Insurance Act 1957(c)	Sections 3, 6(3) and 9(1)	—
The Family Allowances and National Insurance Act 1961(e)	Schedule 3, paragraph 5(2)	—

(a) 9 & 10 Geo. 6. c. 62. (b) 1963 c. 7. (c) 5 & 6 Eliz. 2. c. 26.
(d) 4 & 5 Eliz. 2. c. 50. (e) 10 & 11 Eliz. 2. c. 6. (f) 1 & 2 Eliz. 2. c. 43.
(g) 11 & 12 Geo. 6. c. 42.

SCHEDULE 2 Regulation 2

PRESCRIBED DEGREES OF DISABLEMENT

	Description of Injury	*Degree of Disablement* Per cent.
1.	Loss of both hands or amputation at higher sites	100
2.	Loss of a hand and a foot	100
3.	Double amputation through leg or thigh, or amputation through leg or thigh on one side and loss of other foot...	100
4.	Loss of sight to such an extent as to render the claimant unable to perform any work for which eyesight is essential	100
5.	Very severe facial disfigurement	100
6.	Absolute deafness	100
	Amputation Cases—Upper Limbs (either arm)	
7.	Amputation through shoulder joint	90
8.	Amputation below shoulder with stump less than 8 inches from tip of acromion	80
9.	Amputation from 8 inches from tip of acromion to less than 4½ inches below tip of olecranon...	70
10.	Loss of a hand or of the thumb and four fingers of one hand or amputation from 4½ inches below tip of olecranon	60
11.	Loss of thumb	30
12.	Loss of thumb and its metacarpal bone	40
13.	Loss of four fingers of one hand	50
14.	Loss of three fingers of one hand	30
15.	Loss of two fingers of one hand	20
16.	Loss of terminal phalanx of thumb...	20
	Amputation Cases—Lower Limbs	
17.	Amputation of both feet resulting in end-bearing stumps ...	90
18.	Amputation through both feet proximal to the metatarso-phalangeal joint	80
19.	Loss of all toes of both feet through the metatarso-phalangeal joint	40
20.	Loss of all toes of both feet proximal to the proximal inter-phalangeal joint	30
21.	Loss of all toes of both feet distal to the proximal inter-phalangeal joint	20
22.	Amputation at hip	90
23.	Amputation below hip with stump not exceeding 5 inches in length measured from tip of great trochanter	80
24.	Amputation below hip with stump exceeding 5 inches in length measured from tip of great trochanter, but not beyond middle thigh...	70
25.	Amputation below middle thigh to 3½ inches below knee ...	60
26.	Amputation below knee with stump exceeding 3½ inches but not exceeding 5 inches	50
27.	Amputation below knee with stump exceeding 5 inches	40
28.	Amputation of one foot resulting in end-bearing stump	30
29.	Amputation through one foot proximal to the metatarso-phalangeal joint	30
30.	Loss of all toes of one foot through the metatarso-phalangeal joint	20
	Other Injuries	
31.	Loss of one eye, without complications, the other being normal	40
32.	Loss of vision of one eye, without complications or disfigurement of eyeball, the other being normal	30

	Description of Injury	*Degree of Disablement* Per cent.
Loss of		
A.	*Fingers of right or left hand*	
	Index finger—	
33.	Whole	14
34.	Two phalanges	11
35.	One phalanx	9
36.	Guillotine amputation of tip without loss of bone	5
	Middle finger—	
37.	Whole	12
38.	Two phalanges	9
39.	One phalanx	7
40.	Guillotine amputation of tip without loss of bone	4
	Ring or little finger—	
41.	Whole	7
42.	Two phalanges	6
43.	One phalanx	5
44.	Guillotine amputation of tip without loss of bone	2
B.	*Toes of right or left foot*	
	Great toe—	
45.	Through metatarso-phalangeal joint	14
46.	Part, with some loss of bone	3
	Any other toe—	
47.	Through metatarso-phalangeal joint	3
48.	Part, with some loss of bone	1
	Two toes of one foot, excluding great toe—	
49.	Through metatarso-phalangeal joint	5
50.	Part, with some loss of bone	2
	Three toes of one foot, excluding great toe—	
51.	Through metatarso-phalangeal joint	6
52.	Part, with some loss of bone	3
	Four toes of one foot, excluding great toe—	
53.	Through metatarso-phalangeal joint	9
54.	Part, with some loss of bone	3

SCHEDULE 3 Regulation 3

SCALE OF DISABLEMENT GRATUITIES

Degree of Disablement	Amount of Gratuity
1 per cent.	38 pounds
2 per cent.	57 pounds
3 per cent.	76 pounds
4 per cent.	95 pounds
5 per cent.	114 pounds
6 per cent.	133 pounds
7 per cent.	152 pounds
8 per cent.	171 pounds
9 per cent.	190 pounds
10 per cent.	209 pounds
11 per cent.	228 pounds
12 per cent.	247 pounds
13 per cent.	266 pounds
14 per cent.	285 pounds
15 per cent.	304 pounds
16 per cent.	323 pounds
17 per cent.	342 pounds
18 per cent.	361 pounds
19 per cent.	380 pounds

SCHEDULE 4 Regulation 6

RATE OF DISABLEMENT PENSION PAYABLE IN LIEU OF DISABLEMENT GRATUITY IN ACCORDANCE WITH REGULATION 6

Where the degree of disablement is as specified in column 1 of the following table, the weekly rate of the pension shall be determined in accordance with column 2 of that table:—

Degree of Disablement	*Weekly Rate of Pension*
less than 20 per cent. but not less than 16 per cent....	23 shillings
less than 16 per cent. but not less than 11 per cent....	17 shillings and 3 pence
less than 11 per cent. but not less than 6 per cent. ...	11 shillings and 6 pence
less than 6 per cent.	5 shillings and 9 pence

SCHEDULE 5 Regulations 10 and 20

PRESCRIBED RELATIONSHIPS

(*a*) Lineal descendant or ascendant in a direct line and

(*b*)

stepfather	sister
stepmother	half-brother
stepson	half-sister
stepdaughter	stepbrother
brother	stepsister

and

(*c*) the father or mother of any woman who is, or was at her death, the wife of the beneficiary or, as the case may be, was the wife of the deceased at either her or his death; and

(*d*) the father or mother of any man who is, or was at his death, the husband of the beneficiary or, as the case may be, was the husband of the deceased at either his or her death.

Regulation 22 SCHEDULE 6

MAXIMUM AMOUNTS OF GRATUITIES PAYABLE BY WAY OF DEATH BENEFIT TO PARENTS OR RELATIVES WHO WERE NOT WHOLLY MAINTAINED BY THE DECEASED

1. The amount of any gratuity payable by way of death benefit to a beneficiary who is a relative prescribed for the purposes of section 23 of the Act and who would, but for the provisions of Schedule 4 of the Act, have been entitled to a pension under the said section 23, shall not exceed 156 times the weekly rate of the contributions which the deceased at his death was or would but for the relevant accident have been making to that beneficiary's maintenance.

2. The amount of any gratuity payable by way of death benefit to any other beneficiary who is a parent within the meaning of section 22 of the Act or is a relative shall not exceed 104 times the said weekly rate of the contributions to such beneficiary's maintenance.

Regulation 23 SCHEDULE 7

PROVISIONS APPLYING THE LIMITS IMPOSED BY SCHEDULE 4 OF THE ACT ON THE AMOUNT PAYABLE BY WAY OF DEATH GRATUITIES

1. The amount of 78 pounds in the case of parents' gratuities or of 52 pounds or 104 pounds (as the case may be) in the case of relatives' gratuities, shall (subject to the provisions of the next two following paragraphs in relation to relatives' gratuities) be apportioned between the persons entitled as parents or as relatives, as the case may be, in proportion to the respective weekly rates of the contributions which the deceased at his death was or would but for the relevant accident have been making to the several maintenance of those persons:

Provided that where the amount ascertained under this paragraph in relation to any person entitled to a parent's or relative's gratuity, as the case may be, exceeds the maximum amount which can be paid to him under the provisions of the Act, the difference between that maximum amount and the amount so ascertained shall—

(a) if there is only one other person so entitled, be paid to that person ; or

(*b*) if there are two or more other persons so entitled, be apportioned between such persons in accordance with the provisions of this paragraph.

2. Where there is only one relative who is by virtue of the provisions of Schedule 4 of the Act entitled to a gratuity in lieu of a pension under section 23 of the Act, the amount payable to him shall be the full amount to which he is entitled under the relevant provisions of the Act, and the difference (if any) between 104 pounds and the amount so payable to that relative shall—

(*a*) if there is only one other relative, be the amount of the gratuity payable to that other relative ; and

(*b*) if there are two or more other relatives, be apportioned between them in accordance with the preceding paragraph of this Schedule.

3. Where there are two or more relatives each of whom is so entitled to a gratuity in lieu of a pension, the amount of 104 pounds shall be apportioned equally between them.

4. Where, in respect of any death, a parent or relative has been paid the amount of any gratuity finally awarded to him as such, or any part of such amount, the death benefit payable to any person subsequently claiming to be entitled in respect of the same death to a gratuity as a parent or relative shall not exceed the difference between the sum or the aggregate of the sums previously paid as aforesaid in respect of parents' or relatives' gratuities, as the case may be, and—

(*a*) the amount of 78 pounds in the case of parents' gratuities ; or

(*b*) the amount of 52 pounds (or 104 pounds where appropriate) in the case of relatives' gratuities ;

and the provisions of the Act and of this Schedule shall apply to any such subsequent claimant accordingly:

Provided that where any sum has been repaid or recovered in respect of a gratuity awarded to any person, the amount paid to him on account of that gratuity shall, for the purpose of this paragraph, be treated as reduced by the amount so repaid or recovered.

SCHEDULE 8 Regulation 25

ORDER OF PRIORITY OF TITLE TO ALLOWANCES UNDER SECTION 21 OF THE ACT

1. Such person as may be designated in a written notice to the Minister, signed by all the persons satisfying such conditions as aforesaid.

2. A person who, not being entitled to death benefit as such, is the widow of the deceased or who was, before her remarriage, the widow of the deceased.

3. A person who is entitled to death benefit in respect of the deceased's death—

(*a*) by way of a pension ; or

(*b*) by way of an allowance under section 24 of the Act as a woman having the care of a child or children of the deceased's family.

4. Such person as the Minister may in his discretion determine, having regard to the circumstances of the case.

SCHEDULE 9 Regulation 46

REGULATIONS REVOKED

Citation	Statutory Instrument	Extent of Revocation
The National Insurance (Industrial Injuries) (Benefit) Regulations 1948.	S.I. 1948/1372 (Rev. XVI, p. 441: 1948 I, p. 2918).	The whole of the regulations.
The National Insurance (Industrial Injuries) (Benefit) Amendment Regulations 1949.	S.I. 1949/691 (1949 I, p. 2762).	The whole of the regulations.
The National Insurance (Industrial Injuries) (Benefit) Amendment Regulations 1951.	S.I. 1951/833 (1951 I, p. 1499).	The whole of the regulations.
The National Insurance (Industrial Injuries) (Benefit) Amendment (No. 3) Regulations 1951.	S.I. 1951/1606 (1951 I, p. 1502).	The whole of the regulations.
The National Insurance (Industrial Injuries) (Increase of Benefit and Miscellaneous Provisions) Regulations 1952.	S.I. 1952/1250 (1952 II, p. 2231).	The whole of the regulations.
The National Insurance (Industrial Injuries) (Benefit) Amendment Regulations 1952.	S.I. 1952/1633 (1952 II, p. 2214).	The whole of the regulations.
The National Insurance (Industrial Injuries) (Transitional Provisions and Consequential Amendments) Regulations 1953.	S.I. 1953/1227 (1953 I, p. 1419).	Regulation 4 and the entries in the Schedule under the heading "The Benefit Regulations".
The National Insurance (Industrial Injuries) (Benefit) Amendment Regulations 1953.	S.I. 1953/1314 (1953 I, p. 1425).	The whole of the regulations.
The National Insurance (Industrial Injuries) (Increase of Benefit and Miscellaneous Provisions) Regulations 1955.	S.I. 1955/48 (1955 I, p. 1668).	The whole of the regulations.

Citation	Statutory Instrument	Extent of Revocation
The National Insurance (Industrial Injuries) (Benefit) Amendment Regulations 1955.	S.I. 1955/1382 (1955 I, p. 1667).	The whole of the regulations.
The National Insurance (Industrial Injuries) (Widow's Benefit and Miscellaneous Provisions) Regulations 1956.	S.I. 1956/1188 (1956 I, p. 1690).	The whole of the regulations.
The National Insurance (Industrial Injuries) (Benefit) Amendment Regulations 1957.	S.I. 1957/1037 (1957 II, p. 1721).	The whole of the regulations.
The National Insurance (Industrial Injuries) (Benefit) Amendment(No. 2) Regulations 1957.	S.I. 1957/1862 (1957 II, p. 1722).	The whole of the regulations.
The National Insurance (Industrial Injuries) (Increase of Benefit and Miscellaneous Provisions) Regulations 1957.	S.I. 1957/2074 (1957 II, p. 1730).	The whole of the regulations.
The National Insurance (Industrial Injuries) (Benefit) Amendment Regulations 1958.	S.I. 1958/1083 (1958 II, p. 1669).	The whole of the regulations.
The National Insurance (Industrial Injuries) (Benefit) Amendment Regulations 1959.	S.I. 1959/937 (1959 II, p. 1935).	The whole of the regulations.
The National Insurance (Industrial Injuries) (Benefit) Amendment Regulations 1960.	S.I. 1960/254 (1960 II, p. 2364).	The whole of the regulations.
The National Insurance (Industrial Injuries) (Benefit) Amendment (No. 2) Regulations 1960.	S.I. 1960/1284 (1960 II, p. 2366).	The whole of the regulations.
The National Insurance (Industrial Injuries) (Increase of Benefit and Miscellaneous Provisions) Regulations 1960.	S.I. 1960/2430 (1960 II, p. 2370).	The whole of the regulations.
The Family Allowances, National Insurance and Industrial Injuries (Consequential) Regulations 1962.	S.I. 1962/326 (1962 I, p. 300).	Regulations 6(1) and 7.
The National Insurance (Industrial Injuries) (Increase of Benefit and Miscellaneous Provisions) Regulations 1963.	S.I. 1963/395 (1963 I, p. 448).	The whole of the regulations.

EXPLANATORY NOTE

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

These Regulations consolidate the National Insurance (Industrial Injuries) (Benefit) Regulations 1948 with subsequent amending Regulations. They are made for the purpose only of consolidation and accordingly, because of section 10(4) of the Family Allowances and National Insurance Act 1961, have not been referred to the Industrial Injuries Advisory Council.