Injuries) Act, 1946, employment of a medical or dental practitioner by a Regional Hospital Board or the Board of Governors of a Teaching Hospital constituted under the National Health Service Act, 1946, where the practitioner is employed in any two or more such employments and is wholly or mainly engaged in such employments in the aggregate and is remunerated by salary.

1952 No. 993

The National Insurance (Industrial Injuries) (Medical Certification) Amendment Regulations, 1952

Made - - - -	19*th May*, 1952
Laid before Parliament	19*th May*, 1952
Coming into Operation	26*th May*, 1952

The Minister of National Insurance, in exercise of powers conferred by subsection (1) of section 51 of the National Insurance (Industrial Injuries) Act, 1946(a), and of all other powers enabling him in that behalf, hereby makes the following regulations:—

Citation, interpretation and commencement

1. These regulations, which may be cited as the National Insurance (Industrial Injuries) (Medical Certification) Amendment Regulations, 1952, shall be read as one with the National Insurance (Industrial Injuries) (Medical Certification) Regulations, 1948(b), as amended(c) (hereinafter referred to as "the principal regulations") and shall come into operation on the 26th May, 1952.

Amendment of the principal regulations

2. In paragraph (2) of regulation 1 of the principal regulations (which contains definitions and general provisions), the following definition shall be inserted after the definition of "incapacity":—

> "'signature' means, in relation to any certificate, the name by which the person giving the certificate is usually known (any name other than the surname being either in full or otherwise indicated) written by that person in his own handwriting; and the expression 'signed' shall be construed accordingly;"

3. In regulation 2 of the principal regulations (which relates to the furnishing of certificates of incapacity), after the words "in respect of the", there shall be inserted the words "day or", and that regulation shall accordingly have effect as set out in the First Schedule to these regulations.

4.—(1) Rules 1 and 2 and 7 to 14 of the rules for medical certification contained in the Schedule to the principal regulations shall be amended in accordance with the following provisions of this regulation, and shall accordingly have effect as set out in the Second Schedule to these regulations.

(2) In rule 1, after the words "medical practitioner", there shall be inserted the words "not being the claimant".

(a) 9 & 10 Geo. 6. c. 62.
(b) S.I. 1948/1262; Rev. XVI, p. 519; 1948 I, p. 2996.
(c) *See* S I. 1950/1867; 1950 II, p. 39.

(3) At the end of rule 2, there shall be added the following words:—

"and shall bear, opposite the words 'Doctor's Signature' the signature of the certifying practitioner written after there have been entered on the certificate the claimant's name and a statement of the disease or injury."

(4) In rule 7, the words "or 12" shall be omitted and, after the word "incapacity", there shall be added the words:—

"but if—

(*a*) the claimant having obtained a certificate in the form of a first certificate which relates to incapacity which began on the Thursday, Friday, Saturday or Sunday of a contribution week, that certificate is furnished in that contribution week or in the next following contribution week; or

(*b*) the claimant having obtained in a contribution week a certificate in the form of a final certificate which specifies the Monday, Tuesday or Wednesday of the next following contribution week as the date on which, in the opinion of the practitioner, the claimant will become fit to resume work, that certificate is furnished on or before that date;

the provisions of this rule shall, in either case, be deemed to have been complied with in relation to both those contribution weeks."

(5) At the end of rule 8, the following words shall be added:—

"If the claimant, in the opinion of the practitioner, will become fit to resume work on a date not later than the end of the third day after the date of the examination to which a first certificate relates, the certificate shall specify the first mentioned date."

(6) In rule 9,—

(*a*) after the words "following the day", there shall be inserted the words "or days";

(*b*) the words "is fit to resume work immediately after, or" and the words "on a day" shall be omitted;

(*c*) for the words "the third day after,", there shall be substituted the words "the end of the third day after"; and

(*d*) the words "covering only the period up to and including the date of the examination on which the certificate is based" shall be added at the end of the said rule.

(7) In rule 10,—

(*a*) for the words "rule 11, 12 or 13", there shall be substituted the words "the provisions of rule 11 or 12"; and

(*b*) the words "covering only the period up to and including the date of the examination on which the certificate is based" shall be added at the end of the said rule.

(8) In rule 11, all the words following the words "unless otherwise directed by the Minister" shall be omitted, and the following words shall be substituted therefor:—

"furnish a certificate in the form of an intermediate certificate covering the period up to and including the date of the examination on which the certificate is based, and a specified number of weeks thereafter not exceeding four."

(9) Rule 12 shall be omitted.

(10) In rule 13 (which shall be renumbered "12"), for the words "is, or will become on a day not later than", there shall be substituted the words "will become, not later than the end of".

(11) For rule 14, the following rule shall be substituted:—

"13. Before resuming work, every claimant shall obtain a certificate specifying the date on which, in the opinion of the practitioner, the claimant will become fit to resume work."

5. For the forms of certificates set out in the Schedule to the principal regulations, there shall be substituted the forms of certificates set out in the Third Schedule to these regulations.

Dated this 19th day of May, 1952.

Osbert Peake,

Minister of National Insurance.

FIRST SCHEDULE

Regulation 3.

REGULATION 2 OF THE PRINCIPAL REGULATIONS AS AMENDED BY THESE REGULATIONS*

Certificates of incapacity

2. Every person claiming injury benefit shall furnish evidence of incapacity, in respect of the *day or* days for which the claim is made, by means of a certificate given by a registered medical practitioner in accordance with the rules for medical certification set out in the Schedule to these regulations in the form appropriate to the circumstances of the case, as set out in that Schedule, or by such other means as the determining authority may accept as sufficient in the circumstances of any particular case or class of cases.

SECOND SCHEDULE

Regulation 4.

CONTAINING THE RULES FOR MEDICAL CERTIFICATION (SET OUT IN THE SCHEDULE TO THE PRINCIPAL REGULATIONS) WHICH ARE AMENDED BY THESE REGULATIONS†

1. In these rules, unless the context otherwise requires—

"certificate" means a certificate of incapacity;

"claimant" means the person in respect of whom a certificate is given;

"practitioner" means a registered medical practitioner *not being the claimant;*

"Executive Council" means an Executive Council constituted in accordance with the provisions of the National Health Service Act, 1946, or of the National Health Service (Scotland) Act, 1947.

2. Every certificate shall be in writing in ink or other indelible substance, and shall contain the following particulars:—

(*a*) the claimant's name;

(*b*) the date of the examination on which the certificate is based;

(*c*) a concise statement of the disease or injury by which the claimant is, in the practitioner's opinion, at the time rendered incapable of work;

* The amendments made by these regulations are shown in italics.

† The words added or substituted by these regulations are shown in italics.

(*d*) the date on which the certificate is given ;

(*e*) the address of the practitioner ;

and shall bear, opposite the words "Doctor's Signature", the signature of the certifying practitioner written after there have been entered on the certificate the claimant's name and a statement of the disease or injury.

. . . . . .

7. Except in any case to which the provisions of rule 11 apply, a certificate shall be furnished in every contribution week during the continuance of the incapacity ; *but if—*

(*a*) *the claimant having obtained a certificate in the form of a first certificate which relates to incapacity which began on the Thursday, Friday, Saturday or Sunday of a contribution week, that certificate is furnished in that contribution week or in the next following contribution week ; or*

(*b*) *the claimant having obtained in a contribution week a certificate in the form of a final certificate which specifies the Monday, Tuesday or Wednesday of the next following contribution week as the date on which, in the opinion of the practitioner, the claimant will become fit to resume work, that certificate is furnished on or before that date ;*

the provisions of this rule shall, in either case, be deemed to have been complied with in relation to both those contribution weeks.

8. Where the claim is the first claim for injury benefit made by the claimant after he has become or again become incapable of work, the certificate shall be in the form of a first certificate. *If the claimant, in the opinion of the practitioner, will become fit to resume work on a date not later than the end of the third day after the date of the examination to which a first certificate relates, the certificate shall specify the first mentioned date.*

9. Where the claim is in respect of a day or days of incapacity immediately following the day *or days* in respect of which a first certificate has been given, the claimant shall furnish a second certificate, which must have been given at the expiration of not more than seven days from the date of the first certificate. If, in the opinion of the practitioner, the claimant will become fit to resume work not later than *the end of the third day after* the date of the examination to which a second certificate relates, that certificate shall be in the form of a final certificate ; and otherwise it shall be in the form of an intermediate certificate *covering only the period up to and including the date of the examination on which the certificate is based.*

10. Where the claim is in respect of a day or days of incapacity after the last day in respect of which a second certificate has been given, the certificate shall, except in any case to which *the provisions of rule* 11 *or* 12 apply, be in the form of an intermediate certificate *covering only the period up to and including the date of the examination on which the certificate is based.*

11. Where the incapacity has continued for not less than twenty-eight days, and the practitioner is satisfied that the incapacity is likely to continue for a long period, the claimant may, unless otherwise directed by the Minister, *furnish a certificate in the form of an intermediate certificate covering the period up to and including the date of the examination on which the certificate is based, and a specified number of weeks thereafter not exceeding four.*

12. If at the date of the examination to which a certificate other than a first or second certificate relates the claimant, in the opinion of the practitioner, *will become, not later than the end of* the third day after that date, fit to resume work, that certificate shall be in the form of a final certificate.

13. *Before resuming work, every claimant shall obtain a certificate specifying the date on which, in the opinion of the practitioner, the claimant will become fit to resume work.*

THIRD SCHEDULE

Regulation 5.

CONTAINING FORMS OF CERTIFICATES OF INCAPACITY SUBSTITUTED FOR THE FORMS OF SUCH CERTIFICATES SET OUT IN THE SCHEDULE TO THE PRINCIPAL REGULATIONS

FIRST CERTIFICATE

CONFIDENTIAL

To .....

I certify that I have examined you on the undermentioned date and that in my opinion you were incapable of work at the time of that examination by reason of .....

.....

*In my opinion you will be fit to resume work today/tomorrow/on .....day next.†

Doctor's Signature .....

Date of examination .....

Date of signing .....

Any other remarks by Doctor .....

.....

* *Delete if inappropriate.*

† *The day to be indicated must not be more than THREE days after the date of the examination.*

INTERMEDIATE CERTIFICATE

CONFIDENTIAL

To .....

I certify that I have examined you on the undermentioned date and that in my opinon by reason of .....

.....

I. (*For use only when weekly certificates are to be given.*)

you have remained incapable of work up to and including that date.

Doctor's Signature .....

Date of examination .....

Date of signing .....

II. (*For use only when the incapacity has continued for* 28 *DAYS OR MORE and is likely to be prolonged.*)

you have remained incapable of work up to and including that date and will be incapable of work for a further period of ..... weeks‡ therefrom.

Doctor's Signature .....

Date of examination .....

Date of signing .....

Any other remarks by Doctor .....

.....

‡ *The period entered must not exceed FOUR WEEKS.*

FINAL CERTIFICATE

CONFIDENTIAL

To .....

I certify that I have examined you on the undermentioned date and that in my opinion you have remained incapable of work up to the time of that examination by reason of .....

.....

In my opinion you will be fit to resume work today/tomorrow/on .....day next.*

Doctor's Signature .....

Date of examination .....

Date of signing .....

Any other remarks by Doctor .....

.....

* *The day to be indicated must not be more than THREE days after the date of the examination.*

EXPLANATORY NOTE

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

These Regulations comprise a number of miscellaneous provisions varying the existing procedure in relation to medical certification.

NATIONAL REGISTRATION

1952 No. 1035

The National Registration Act (End of Emergency) Order, 1952

Made - - - - 23*rd May*, 1952

At the Court at Buckingham Palace, the 23rd day of May, 1952

Present,

The Queen's Most Excellent Majesty in Council

Whereas by subsection (4) of section twelve of the National Registration Act, 1939(a), it is provided that that Act shall continue in force until such date as Her Majesty may by Order in Council declare to be the date on which the emergency that was the occasion of the passing of that Act came to an end:

Now, therefore, Her Majesty in pursuance of the said subsection (4) of section twelve is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered as follows:

1. It is hereby declared that the twenty-second day of May, nineteen hundred and fifty-two, is the date on which the emergency that was the occasion of the passing of the National Registration Act, 1939, came to an end.

2. This Order may be cited as the National Registration Act (End of Emergency) Order, 1952.

F. J. Fernau.

(a) 2 & 3 Geo. 6. c. 91.