| Rate of widowed mother's allowance (1) | Minimum reduced rate (2) | Rate of widow's pension or retirement pension for a widow by virtue of husband's insurance (3) | Minimum reduced rate (4) |
|---|---|---|---|
| s. d. | s. d. | s. d. | s. d. |
| 42 0 | 20 0 | 31 6 | 9 6 |
| 40 6 | 19 6 | 30 0 | 9 0 |
| 39 0 | 19 0 | 28 6 | 8 6 |
| 37 0 | 18 6 | 26 6 | 8 0 |
| 34 6 | 18 0 | 24 0 | 7 6 |
| 32 0 | 17 0 | 21 6 | 6 6 |
| 29 6 | 16 6 | 19 0 | 6 0 |
| 27 0 | 15 6 | 16 6 | 5 0 |
| 24 6 | 14 6 | 14 0 | 4 0 |
| 22 0 | 14 0 | 11 6 | 3 6 |
| 19 6 | 13 0 | 9 0 | 2 6 " |

## EXPLANATORY NOTE

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

These Regulations, which are made in consequence of the Family Allowances and National Insurance Act, 1952, increase the rates of benefit payable under the transitional regulations made under the National Insurance Act, 1946, modifying the provisions of that Act in relation to existing beneficiaries and existing contributors, in order to bring them into conformity with the higher rates of benefits payable directly under that Act by virtue of the Act of 1952. The remaining provisions are of a minor or consequential character.

# 1952 No. 992

# The National Insurance (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 section 43 (5) of the National Insurance 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 (Medical Certification) Amendment Regulations, 1952, shall be read as one with the National Insurance (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.

(a) 9 & 10 Geo. 6. c. 67.
(b) S.I. 1948/1175; Rev. XVI, p. 324; 1948 I, p. 2803.
(c) *See* S.I. 1949/1981; 1949 I, p. 2730.

*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.**—(1) Regulation 2 of the principal regulations (which relates to the furnishing of certificates of incapacity and confinement) shall be amended in accordance with the following provisions of this regulation, and shall accordingly have effect as set out in the First Schedule to these regulations.

(2) In paragraph (1), after the words "in respect of the", there shall be inserted the words "day or".

(3) In paragraph (2),—

(*a*) after the word "confined", there shall be inserted the words "and shall furnish such evidence"; and

(*b*) after the words "or class of cases", there shall be added the words "and, for the purposes of this paragraph, the expression 'certificate' shall not include a certificate which is given only by the person by whom or on whose behalf the claim is made".

**4.**—(1) Rules 1 and 2 and 7 to 14 of the rules for medical certification contained in Part I of the Schedule to the principal regulations (which Part relates to incapacity) 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".

(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 disablement."

(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 "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 which shall not exceed four or, where the incapacity has continued for more than six months, thirteen."

(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 said Part I of the Schedule to the principal regulations, there shall be substituted the forms of certificates set out in the Third Schedule to these regulations.

**6.** Rule 3 of the rules for certification set out in Part II of the said Schedule to the principal regulations (which Part relates to confinement) shall be amended as follows, and shall accordingly have effect as set out in the Fourth Schedule to these regulations:—

(1) For paragraph (*e*), there shall be substituted the following paragraph:—

"(*e*) where the certificate is signed by a midwife, either the registered number of the midwife or her address and the date of her qualification;"

(2) Below paragraph (*e*), there shall be added the following words:—

"and shall bear, opposite the word 'Signature', the signature of the person giving the certificate written after there have been entered on the certificate the woman's name and the date, or (as the case may be) the expected date, of the confinement."

**7.** After the said rule 3, the following rule shall be added:—

"4. After a certificate based on an examination has been given, no further certificate based on the same examination shall be furnished other than a certificate to replace an original certificate which has been lost or mislaid, but in that case the form shall be clearly marked 'duplicate'."

**8.** For the forms of certificates set out in the said Part II of the Schedule to the principal regulations, there shall be substituted the forms of certificates set out in the Fifth 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 and confinement

2.—(1) Every person claiming sickness 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 Part I of the Schedule to these regulations in the form appropriate to the circumstances of the case, as set out in that Part, or by such other means as the determining authority may accept as sufficient in the circumstances of any particular case or class of cases.

(2) Every woman by whom or on whose behalf a claim for maternity benefit is made shall furnish evidence that she has been, or that it is to be expected that she will be, confined *and shall furnish such evidence* by means of a certificate given in accordance with the rules for certification set out in Part II of the said Schedule on the appropriate form as set out in that Part, or by means of such other certificate as the determining authority may accept as sufficient in the circumstances of any particular case or class of cases; *and, for the purposes of this paragraph, the expression "certificate" shall not include a certificate which is given only by the person by whom or on whose behalf the claim is made.*

## SECOND SCHEDULE Regulation 4.

CONTAINING THE RULES FOR MEDICAL CERTIFICATION (SET OUT IN PART I OF 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;

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

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

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

(*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 disablement.*

. . . . . .

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 sickness 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 which shall not exceed four or, where the incapacity has continued for more than six months, thirteen.*

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 PART I OF 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 opinion 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 unless the incapacity has continued for more than SIX MONTHS, in which case it must not exceed THIRTEEN 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.*

## FOURTH SCHEDULE Regulation 6.

RULE 3 OF THE RULES FOR CERTIFICATION (SET OUT IN PART II OF THE SCHEDULE TO THE PRINCIPAL REGULATIONS) AS AMENDED BY THESE REGULATIONS*

3. Every certificate of confinement or expected confinement shall contain the following particulars:—

(*a*) the woman's name;
(*b*) in the case of a certificate of confinement the date and place of the confinement, and the date of the examination on which the certificate is based;
(*c*) in the case of a certificate of expected confinement the week in which it is to be expected that the woman will be confined and the date of the examination on which the certificate is based;
(*d*) the date on which the certificate is given;
(*e*) *where the certificate is signed by a midwife, either the registered number of the midwife or her address and the date of her qualification;*

*and shall bear, opposite the word "Signature", the signature of the person giving the certificate written after there have been entered on the certificate the woman's name and the date, or (as the case may be) the expected date, of the confinement.*

## FIFTH SCHEDULE Regulation 8.

CONTAINING FORMS OF CERTIFICATES OF CONFINEMENT AND EXPECTED CONFINEMENT SUBSTITUTED FOR THE FORMS OF SUCH CERTIFICATES SET OUT IN PART II OF THE SCHEDULE TO THE PRINCIPAL REGULATIONS

CERTIFICATE OF CONFINEMENT(*a*)

(To be given by a registered medical practitioner or certified midwife.)

I certify that I attended ..... in connection with her confinement(*a*) which took place at .....
..... (address)

and that she was there delivered of $\frac{\text{a child}}{\text{..... children}(b)}$

on the ..... day of ..... 19 .....

(*It is important that, where the practitioner or midwife considers the confinement was premature, the following item should be completed. If it is not completed, it should be struck through.*)

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

I certify that, in my opinion, the confinement was premature. It was expected in the contribution week(*c*) including the ..... day of ..... 19 .....

Signature.....

(If Certified Midwife, add Registered Number.....

*or* Address and Date of Qualification.....

.....

.....)

Date of examination.....

Date of signing.....

NOTES:

(*a*) Confinement is so defined by the National Insurance Act, 1946, that this certificate can only be given—

(i) where labour results in the issue of a living child

*or*

(ii) where labour results in the issue of a dead child and pregnancy has lasted for at least 28 weeks.

*The certificate must not be given in any other circumstances.*

(*b*) Insert number of children, if more than one.

(*c*) A contribution week is one which begins on a Monday.

CERTIFICATE OF EXPECTED CONFINEMENT

(To be given by a registered medical practitioner or certified midwife not earlier than the beginning of the eleventh week* before the week* containing the day of expected confinement.)

To .....

I certify that I have examined you on the undermentioned date and that in my opinion you may expect to be confined in the week* which will include the ..... day of ..... 19 .....

(*Here insert the expected date of confinement.*)

Signature .....

(If Certified Midwife, add Registered Number .....

*or* Address and Date of Qualification .....

.....

.....)

Date of examination.....

Date of signing.....

Any other remarks by Doctor or Midwife.....

.....

* The week referred to is a contribution week, *i.e.*, one which begins on a Monday.

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## 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.

The preliminary draft of these Regulations (then entitled the National Insurance (Medical Certification) Amendment Regulations, 1951) was submitted to the National Insurance Advisory Committee in accordance with section 77 of the National Insurance Act, 1946, and their report thereon, dated the 8th December, 1951, is contained in House of Commons Paper No. 194 (Session 1951-2) published by Her Majesty's Stationery Office.