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.

Overlapping Benefits Amendment Regulations (Northern Ireland), 1952

REGULATIONS, DATED 8TH APRIL, 1952, MADE BY THE NATIONAL INSURANCE JOINT AUTHORITY, IN CONJUNCTION WITH THE MINISTRY OF FINANCE, UNDER THE NATIONAL INSURANCE ACT (NORTHERN IRELAND), 1946.

1952. No. 65

The National Insurance Joint Authority, acting in conjunction with the Ministry of Finance, in exercise of the powers conferred by section 29 of the National Insurance Act (Northern Ireland), 1946, and of all other powers enabling them in that behalf, hereby make the following regulations :—

Citation, interpretation and commencement

1. These regulations, which may be cited as the National Insurance (Overlapping Benefits) Amendment Regulations (Northern Ireland), 1952, shall be read as one with the National Insurance (Overlapping Benefits) Regulations (Northern Ireland), 1949, as amended (hereinafter referred to as " the principal regulations ") and shall come into operation on the 14th April, 1952.

Amendment of the principal regulations

2.—(1) Regulation 5 of the principal regulations (which, as amended, relates to the adjustment of dependency benefit under the Act where other dependency benefit, whether under the Act or otherwise, is payable) shall be amended in accordance with the following provisions of this regulation and shall accordingly have effect as set out in the schedule to these regulations.

(2) In paragraph (1) of the said regulation for the words "Subject to the provisions of paragraph (3) of this regulation," there shall be substituted the words " Subject to the provisions of this regulation,".

(3) After the said paragraph (1), there shall be inserted the following paragraphs :—

" (1A) Notwithstanding the provisions of paragraph (1) of this regulation, where, for any period, any dependency benefit specified in paragraph (1C) of this regulation is payable or, but for those provisions, would be payable in respect of the elder or eldest child (hereafter in this paragraph referred to as " the first child ") of a family which includes also a child or children in respect of whom no such dependency benefit is payable for that period (which child, or, if the family includes more than one such child, the elder or eldest of such children, is hereafter in this paragraph referred to as " the other child "), the following provisions shall apply :—

(A) If, for that period, there is payable or, but for the said paragraph (1), there would be payable, in respect of the first child,—

(*a*) any one or more of the dependency benefits so specified ; and

(*b*) dependency benefit by way of an increase of unemployment benefit, sickness benefit, a retirement pension or a widow's allowance, or dependency benefit by way of widowed mother's allowance, or more than one of such dependency benefits,

the said paragraph (1) shall not, for that period, be applied in relation to those dependency benefits so as to require any dependency benefit referred to in either sub-paragraph (A) (*a*) or sub-paragraph (A) (*b*) of this paragraph to be adjusted by reference to any dependency benefit referred to in the other ; but, as a special provision, the amount of any dependency benefit specified in the said sub-paragraph (A) (*b*) which (after the making of any other adjustment required by the said paragraph (1)) would be payable for that period in respect of the first child shall be reduced or extinguished for that period by the deduction therefrom of either —

(i) the amount of the dependency benefit, or, if more than one, the aggregate amount of the dependency benefits referred to in the said sub-paragraph (A) (*a*) which (after

the making of any other adjustment required by the said paragraph (1)) is payable for that period in respect of the first child, or

(ii) the amount of any dependency benefit, or, if more than one, the aggregate amount of the dependency benefits, specified in paragraph (2) of this regulation which (after the making of any adjustment required by the said paragraph (1)) is payable for that period in respect of the other child,

whichever is the less.

(B) If, for that period, there is payable or, but for the said paragraph (1), there would be payable, in respect of the first child,—

(*a*) one of the dependency benefits under the Act specified in paragraph (1C) of this regulation ; and

(*b*) dependency benefit by way of an increase of injury benefit or disablement pension under section 17 of the Industrial Injuries Act,

the said paragraph (1) shall not, for that period, be applied in relation to those dependency benefits so as to require the dependency benefit referred to in sub-paragraph (B) (*a*) of this paragraph to be adjusted by reference to the dependency benefit specified in sub-paragraph (B) (*b*) of this paragraph ; but, as a special provision, the amount of the dependency benefit referred to in the said sub-paragraph (B) (*a*) which (after the making of any other adjustment required by the said paragraph (1)) would be payable for that period in respect of the first child shall be reduced or extinguished for that period by the deduction therefrom of either —

(i) the amount of the dependency benefit specified in sub-paragraph (B) (*b*) of this paragraph which is payable for that period in respect of the first child, or

(ii) the amount of any dependency benefit, or, if more than one, the aggregate amount of the dependency benefits, specified in paragraph (2) of this regulation which (after the making of any adjustment required by the said paragraph (1)) is payable for that period in respect of the other child,

whichever is the less.

(1B) Where, for the purposes of section 22 of the Act or of section 17 of the Industrial Injuries Act (which sections relate to increases of benefit in respect of children), a child is, under the relevant subsection (2) of those sections, treated as a child of a man's family, that child shall be so treated for the purposes of the last foregoing paragraph.

(1C) The dependency benefits referred to in paragraph (1A) of this regulation are :—

(*a*) dependency benefit by way of a guardian's allowance under section 18 of the Act,

(*b*) dependency benefit by way of an orphan's pension under the Act payable by virtue of the National Insurance (Pensions, Existing Beneficiaries and Other Persons) (Transitional) Regulations (Northern Ireland), 1948, and

(*c*) dependency benefit by way of a death benefit allowance at the rate of ten shillings a week under section 21 of the Industrial Injuries Act,

being in each case dependency benefit in respect of a child who is, for the purpose of determining the number of allowances payable under the Family Allowances Act (Northern Ireland), 1945, treated as excluded from the family."

(4) In paragraph (2) of the said regulation for the words "the preceding paragraph" there shall be substituted the words "sub-paragraph (*a*) of paragraph (1), and in sub-paragraphs (A) (ii) and (B) (ii) of paragraph (1A)".

Given under the Official Seal of the National Insurance Joint Authority this 8th day of April, nineteen hundred and fifty-two.

(L.S.) *T. C. Stephens*,
Secretary, National Insurance Joint Authority.

Given under the Official Seal of the Ministry of Finance for Northern Ireland this 8th day of April, nineteen hundred and fifty-two.

(L.S.) *G. N. Cox*,
Assistant Secretary to the Ministry of Finance for Northern Ireland.

SCHEDULE

Regulation 5 *of the principal regulations as amended**

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

5.—(1) *Subject to the provisions of this regulation*, where, for any period, any dependency benefit under the Act is or, but for this regulation, would be payable to any person in respect of a child or an adult dependant, that dependency benefit shall be adjusted —

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

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

(*b*) in the case of dependency benefit in respect of an adult dependant, by reference to any other dependency benefit so specified which 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 that the amount which, but for this regulation, would be payable in respect of that dependency benefit under the Act shall be reduced or extinguished by the deduction therefrom of the amount payable for that period in respect of that other dependency benefit or those other dependency benefits by reference to which the dependency benefit under the Act is required by this regulation to be adjusted and only the balance (if any) shall be payable for that period in respect of that dependency benefit under the Act.

(1A) *Notwithstanding the provisions of paragraph* (1) *of this regulation, where, for any period, any dependency benefit specified in paragraph* (1C) *of this regulation is payable or, but for those provisions, would be payable in respect of the elder or eldest child (hereafter in this paragraph referred to as "the first child") of a family which includes also a child or children in respect of whom no such dependency benefit is payable for that period (which child, or, if the family includes more than one such child, the elder or eldest of such children, is hereafter in this paragraph referred to as " the other child "), the following provisions shall apply* :—

(A) *If, for that period, there is payable or, but for the said paragraph* (1), *there would be payable, in respect of the first child,—*

(*a*) *any one or more of the dependency benefits so specified ; and*

(*b*) *dependency benefit by way of an increase of unemployment benefit, sickness benefit, a retirement pension or a widow's allowance, or dependency benefit by way of widowed mother's allowance, or more than one of such dependency benefits,*

the said paragraph (1) *shall not, for that period, be applied in relation to those dependency benefits so as to require any dependency benefit referred to in either sub-paragraph* (A) (*a*) *or sub-paragraph* (A) (*b*) *of this paragraph to be adjusted by reference to any dependency benefit referred to in the other ; but, as a special provision, the amount of any dependency benefit specified in the said sub-paragraph* (A) (*b*) *which (after the making of any other adjustment required by the said paragraph* (1) *would be payable for that period in respect of the first child shall be reduced or extinguished for that period by the deduction therefrom of either —*

(i) *the amount of the dependency benefit, or, if more than one, the aggregate amount of the dependency benefits referred to in the said sub-paragraph* (A) (*a*) *which (after the making of any other adjustment required by the said paragraph* (1)) *is payable for that period in respect of the first child, or*

(ii) *the amount of any dependency benefit, or, if more than one, the aggregate amount of the dependency benefits, specified in paragraph* (2) *of this regulation which (after the making of any adjustment required by the said paragraph* (1) *) is payable for that period in respect of the other child,*

whichever is the less.

(B) *If, for that period, there is payable or, but for the said paragraph* (1), *there would be payable, in respect of the first child,—*

(*a*) *one of the dependency benefits under the Act specified in paragraph* (1C) *of this regulation ; and*

(*b*) *dependency benefit by way of an increase of injury benefit or disablement pension under section* 17 *of the Industrial Injuries Act,*

the said paragraph (1) *shall not, for that period, be applied in relation to those dependency benefits so as to require the dependency benefit referred to in sub-paragraph* (B) (*a*) *of this paragraph to be adjusted by reference to the dependency benefit specified in sub-paragraph* (B) (*b*) *of this paragraph; but, as a special provision, the amount of the dependency benefit referred to in the said sub-paragraph* (B) (*a*) *which (after the making of any other adjustment required by the said paragraph* (1) *) would be payable for that period in respect of the first child shall be reduced or extinguished for that period by the deduction therefrom of either —*

(i) *the amount of the dependency benefit specified in sub-paragraph* (B) (*b*) *of this paragraph which is payable for that period in respect of the first child, or*

(ii) *the amount of any dependency benefit, or, if more than one, the aggregate amount of the dependency benefits, specified in paragraph* (2) *of this regulation which (after the making of any adjustment required by the said paragraph* (1) *) is payable for that period in respect of the other child,*

whichever is the less.

(1B) *Where, for the purposes of section* 22 *of the Act or of section* 17 *of the Industrial Injuries Act (which sections relate to increases of benefit in respect of children), a child is, under the relevant subsection* (2) *of those sections, treated as a child of a man's family, that child shall be so treated for the purposes of the last foregoing paragraph.*

(1C) *The dependency benefits referred to in paragraph* (1A) *of this regulation are :—*

(*a*) *dependency benefit by way of a guardian's allowance under section* 18 *of the Act,*

(*b*) *dependency benefit by way of an orphan's pension under the Act payable by virtue of the National Insurance (Pensions, Existing Beneficiaries and Other Persons) (Transitional) Regulations (Northern Ireland),* 1948, *and*

(*c*) *dependency benefit by way of a death benefit allowance at the rate of ten shillings a week under section* 21 *of the Industrial Injuries Act,*

being in each case dependency benefit in respect of a child who is, for the purpose of determining the number of allowances payable under the Family Allowances Act (Northern Ireland), 1945, *treated as excluded from the family.*

(2) The dependency benefits referred to in *sub-paragraph* (*a*) *of paragraph* (1), *and in sub-paragraphs* (A) (ii) *and* (B) (ii) *of paragraph* (1A), of this regulation are any dependency benefit under the Act or the Industrial Injuries Act or any Personal Injuries Scheme or any 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 his education.

(3) Notwithstanding the foregoing provisions of this regulation (hereafter in this paragraph referred to as " the said provisions "), in any case where —

(*a*) two or more dependency benefits are or, but for the said provisions, would be payable for any period in respect of a child included in the family of any person (being a family which includes more than one child) ; and

(*b*) one of those dependency benefits is a child's allowance ; and

(*c*) an adjustment of dependency benefits made in accordance with the said provisions would be such that the amount payable for that period in respect of the following benefits, namely,—

(i) dependency benefits in respect of the children included in that family, and

(ii) any allowance or allowances for that family under the Family Allowances Act (Northern Ireland), 1945,

would be less than the total amount which, after the application of the said provisions, would have been payable for that period in respect of the said benefits if there had not been payable for that period any child's allowance in respect of any child so included, and if the said benefits included every allowance under the said Act which, but for the payment of a child's allowance, would have been payable if it had been claimed,

the said provisions shall not, for that period, be applied in relation to any child's allowance so payable, but the amount which, but for the said provisions, would be payable for that period, by way of a child's allowance in respect of the child, or (if more than one child) the elder or eldest child, so included in respect of whom a child's allowance would be so payable, shall be reduced or extinguished by the deduction therefrom of the amount (if any) by which the said total amount is less than the total amount which, but for the said provisions, would be payable for that period in respect of the said benefits.