

National Insurance Act, 1913.

[3 & 4 GEO. 5. CH. 37.]



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A.D. 1913.

Section.

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SCHEDULES.



CHAPTER 37.

An Act to amend Parts I. and III. of the National Insurance Act, 1911. A.D. 1913.
[15th August 1913.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1.—(1) In addition to the moneys which under Part I. of the National Insurance Act, 1911 (in this Act referred to as the "principal Act"), are required to be contributed out of moneys provided by Parliament towards defraying the cost of any of the benefits conferred by Part I. of that Act or the expenses of administration of any of those benefits or otherwise for the purposes of that Act, there shall be contributed out of moneys provided by Parliament towards such costs expenses and purposes, such additional sums as Parliament may from time to time determine, and the provisions of the principal Act as to the manner in which the cost of benefits and the expenses of administration are to be defrayed shall be construed as applying only to the balance of such cost and expenses after such additional sums have been applied for the purposes for which they have been provided.

Provision of additional money by Parliament.
1 & 2 Geo. 5.
c. 55.

(2) Any additional sums so contributed for the purpose of medical benefit shall be applicable towards the payment of medical attendance and treatment of members of societies who are not insured persons mentioned in paragraph (e) of subsection (2) of section fifteen of the principal Act as amended by this Act in like manner and to the like extent as if such medical attendance and treatment were medical benefit.

2.—(1) If a person not having been previously insured becomes an employed contributor before the thirteenth day of October nineteen hundred and thirteen, the rate of sickness benefit to which he is entitled shall not be reduced by reason only that he did not become an employed contributor within one year after the commencement of the principal Act,

Extension of time for taking advantage of Act.

A.D. 1913. notwithstanding that at the time of becoming an employed contributor he is of the age of seventeen or upwards, and accordingly subsection (4) of section nine, and subsection (5) of section fifty-five, of the principal Act shall have effect, and shall be deemed always to have had effect, as if "sixty-five weeks" were therein substituted for "one year."

(2) The period within which a person may enter into insurance as a voluntary contributor at the rate referred to in subsection (1) of section five of the principal Act shall be extended to the twelfth day of October nineteen hundred and thirteen, and accordingly proviso (a) to subsection (1) of section five and subsection (3) of section fifty-five of the principal Act shall have effect, and shall be deemed always to have had effect, as if "sixty-five weeks" were therein substituted for "six months."

Abolition of
reduction of
benefits in
certain cases.

3.—(1) The rate of sickness benefit shall not be reduced in the case of an insured person who became an employed contributor within one year after the commencement of the principal Act by reason that at the date of so becoming an employed contributor he was of the age of fifty years or upwards, and accordingly subsection (3) of section nine and Table C in Part I. of the Fourth Schedule to the principal Act shall be repealed.

(2) Part I. of the principal Act shall apply to persons who at the commencement of the principal Act were of the age of sixty-five or upwards and under the age of seventy, and to persons who have since the commencement of the principal Act attained or may hereafter attain the age of sixty-five in like manner as it applies to other persons, and accordingly subsection (4) of section one, paragraph (a) of subsection (4) of section four, and section forty-nine of the principal Act shall be repealed :

Provided that a person who is of the age of sixty-five or upwards at the time of entering into insurance shall not be entitled to medical benefit after he attains the age of seventy, unless the number of weekly contributions paid by or in respect of him exceeds twenty-six.

(3) The Insurance Commissioners may make such regulations as they may consider necessary for providing, in the case of any such classes as aforesaid, for the transition from the provisions of the principal Act affecting them to the provisions of that Act as amended by this section.

Insured persons.

4. Paragraph (b) of subsection (3) of section one of the principal Act shall have effect as if there were added thereto " or, being of the age of sixty or upwards, show to the satisfaction of the Insurance Commissioners that they have ceased " to be insurable as employed contributors," and, where any persons who by virtue of this section are entitled to become voluntary contributors become such contributors, the rate of contribution payable by them shall continue to be the employed rate.

5. After paragraph (b) of subsection (1) of section two of the principal Act which relates to exemptions, the following paragraph shall be added :—

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Exemptions.

“(c) Ordinarily and mainly dependent for his livelihood on the earnings derived by him from an occupation which is not employment within the meaning of this Part of this Act.”

6. There shall be added to Part I. of the First Schedule to the principal Act, which specifies the classes of employment which is employment within Part I. of the principal Act, the following paragraph :—

Employment within meaning of principal Act.

(e) Employment under any local or other public authority except such as may be excluded by a special order.

7.—(1) Where an employed contributor who is a member of an approved society pays to the society such part of any arrears which have accrued due by or in respect of him during any period of unemployment as would have been payable otherwise than by the employer had he continued in employment, the part which would have been so payable by the employer shall be excused, and the amount of the member's arrears shall be reduced accordingly.

Arrears of contributions.

For the purpose of calculating the parts which would have been payable by the employer and otherwise than by an employer had an employed contributor continued in employment, the rate of his remuneration shall be deemed to exceed two shillings and sixpence a working day, unless he proves to the satisfaction of the society that his usual rate of remuneration was two shillings and sixpence a working day or less, in which case his rate of remuneration shall be deemed to be such usual rate.

(2) Where in any year a society, or, in the case of a society with branches, a branch of a society, proves to the satisfaction of the Insurance Commissioners that the total number of weekly contributions which accrued due as arrears during the preceding year in respect of all its members who were employed contributors exceeded the standard number (that is to say, three weekly contributions for every such member) then, for the purpose of recouping to the society the loss it will suffer, there shall be paid to the society, or to the society on behalf of the branch, as the case may be, out of the sums retained by the Insurance Commissioners for discharging their liabilities in respect of reserve values, the prescribed amount for every week by which the standard was so exceeded, but not exceeding the total amount so excused as aforesaid :

Provided that, if the aggregate amount so payable in any year exceeds one hundred thousand pounds, the excess shall be paid out of moneys provided by Parliament.

(3) The Insurance Commissioners may make regulations for carrying this section into effect.

A.D. 1913. **8.** Subject to the provisions of subsection (4) of section ten of the principal Act, insured persons who are in arrear shall be liable to such reduction, postponement or suspension of benefits as may be prescribed so, however, that any such reduction, postponement or suspension of benefit shall be approximately equivalent to the value of the loss occasioned by the failure to pay the contributions in arrear, and the provisions of the principal Act regulating the reduction, postponement and suspension of benefits on account of arrears shall cease to have effect, and the regulations of the Insurance Commissioners may prescribe the time within which, and the conditions under which, arrears may be paid up.

Reduction, &c., of benefits on account of arrears.

Benefits of exempted persons.

9.—(1) Regulations made by the Insurance Commissioners under subsection (4) of section four of the principal Act shall provide for applying the contributions paid in respect of persons who hold certificates of exemption in providing medical benefit and sanatorium benefit for such persons and the cost of the administration of such benefits, and such persons shall, if they fulfil such conditions as may be imposed by those regulations, become entitled to medical benefit and sanatorium benefit as if they were members of approved societies, and the provisions of the principal Act and this Act with respect to the payment and administration of those benefits (including those relating to the application of moneys provided by Parliament towards the cost of those benefits and the expenses of the administration thereof) shall, subject to any modifications, adaptations, and exceptions contained in the regulations, apply accordingly :

Provided that—

- (a) the conditions so imposed shall not require payment of upwards of twenty-six weekly contributions before the person becomes entitled to such benefits ;
- (b) where the total income from all sources of any such person exceeds one hundred and sixty pounds a year, he shall be required to make his own arrangements for receiving medical attendance and treatment, and subsection (3) of section fifteen of the principal Act shall apply accordingly.

(2) This section shall apply to persons in Ireland with this modification, that the benefits to be provided shall be such as may be specified in a scheme framed by the Irish Insurance Commissioners, but the sum to be contributed out of moneys provided by Parliament towards the cost of those benefits and the administration thereof shall be the same as if the benefits were benefits to insured persons.

Medical benefit.

10.—(1) No voluntary contributor whose total income from all sources exceeds one hundred and sixty pounds a year shall be entitled to receive medical benefit, but in that case the weekly contribution which would otherwise be payable by him shall be reduced by one penny.

(2) Paragraph (e) of subsection (2) of section fifteen of the principal Act shall extend to members of societies other than such friendly societies as are mentioned in that paragraph who were at the date of the passing of the principal Act entitled as such members to medical attendance and treatment in like manner and subject to the like conditions as it applies to members of such friendly societies. A.D. 1913.

11. If the Insurance Commissioners are satisfied that the insured persons or any considerable proportion of them within an area, or part of an area, are not receiving satisfactory medical treatment under the panel system, the Commissioners may authorise the insurance committee to make, or may themselves make, such other arrangements as will secure to insured persons within the area or part such better medical service as is practicable having regard to the funds available for the purpose, or arrangements whereunder insured persons within the area, or part of the area, may be required to make their own arrangements for receiving medical attendance and treatment, including medicines and appliances, and whereunder the insurance committee or the Insurance Commissioners undertake to pay the cost of such medical attendance and treatment upon such scale as they may determine with the approval of the Commissioners so calculated that the medical attendance and treatment so secured shall be of a quality not inferior to that provided under the panel system. Alternative arrangements for the panel system.

12.—(1) So much of subsection (5) of section eight of the principal Act as requires the payment of fifty contributions between two periods of disease or disablement in order to prevent the one being treated as a continuation of the other shall cease to have effect. Sickness benefit.

(2) At the end of the same subsection the following provision shall be added—

“Where by virtue of subsection (1) of section eleven of this Act a part only of sickness benefit has been paid to an insured person, he shall, for the purposes of this subsection, be treated as having been in receipt of sickness benefit for a period bearing the same proportion to the whole period in respect of which such part benefit was paid to him as that part bears to the whole benefit, and the period so resulting shall be deemed to have been continuous and to have expired on the last day of the incapacity in respect of which the partial benefit was paid.”

13. Paragraph (c) of subsection (1) of section eight of the principal Act shall have effect as if for the words “commencing from the fourth day after being so rendered incapable of work” there were substituted the words “commencing on the fourth day of such incapacity,” and for the purposes of that paragraph as so amended a day on which the incapacitated person was prevented by the incapacity from doing any effective work shall be treated as a day of incapacity, but a Sunday shall not Amendment of paragraph (c) of s. 8 (1) of principal Act.

A.D. 1913. be so treated, unless the incapacitated person would but for the incapacity have worked on that day.

Maternity benefit.

14.—(1) Maternity benefit shall in every case be the mother's benefit, but, where the benefit is payable in respect of the husband's insurance, the wife's receipt, or his receipt, if authorised by her, on her behalf, shall be a sufficient discharge to the society or committee, and, where the benefit is paid to the husband, he shall pay it to the wife, and in subsection (1) of section eighteen of the principal Act for the words "treated as a benefit for her husband, and shall be administered in cash or otherwise by the approved society of which he is a member" there shall be substituted the words "administered in the interests of the mother and child in cash or otherwise by the approved society of which the husband is a member."

(2) At the end of subsection (1) of section eighteen of the principal Act the following words shall be inserted:—

"Where a woman who is an employed contributor is the wife, or, if the child is a posthumous child, the widow, of an insured person, then—

- (a) if her husband is, or was at the date of his death, a member of an approved society, and by reason of an insufficient number of contributions having been paid by or in respect of him, or on account of arrears, no maternity benefit is payable in respect of his insurance, she shall, on her confinement, be entitled to receive in respect of her own insurance such sum as she would have been entitled to receive if he had not been an insured person; and
- (b) If her husband is, or was at the date of his death, a deposit contributor, and by reason of an insufficient number of contributions having been paid by or in respect of him or of the insufficiency of the sum standing to his credit in the Deposit Contributors Fund, no maternity benefit or a sum less than the full maternity benefit is payable in respect of his insurance, she shall, on her confinement, be entitled to receive, in respect of her own insurance, such sum as, with the sum (if any) payable in respect of her husband's insurance, is equal to the sum she would have been entitled to receive if he had not been an insured person."

(3) Where a woman confined of a child is herself an insured person and is a married woman or, if the child is a posthumous child, a widow, she shall, in lieu of any sickness or disablement benefit to which she may be entitled under subsection (6) of section eight of the principal Act, be entitled to receive a maternity benefit from the society of which she is a member or the insurance committee, as the case may be, in addition to any maternity benefit to which she may be otherwise entitled in respect of her husband's or her own insurance, and every

approved society and insurance committee shall make rules to the satisfaction of the Insurance Commissioners requiring any woman in respect of whom any such sum is payable in respect of her own insurance to abstain from remunerative work during a period of four weeks after her confinement. A.D. 1913.

(4) So much of subsection (1) of section eighteen of the principal Act as provides that if a duly-qualified medical practitioner is summoned in pursuance of the rules made under the Midwives Act, 1902, the prescribed fee shall, subject to regulations made by the Insurance Commissioners, be recoverable as part of the maternity benefit, shall cease to have effect. 2 Edw. 7. c. 17.

15.—(1) Section twelve of the principal Act shall have effect as though proviso (1) to subsection (2) of that section were omitted therefrom, and any sum which, but for the provisions of that section, would have been payable to any person on account of sickness, disablement, or maternity benefit, if and so far as it is not paid or applied in accordance with the provisions of that section while the person to or in respect of whom it would have been payable is an inmate of any workhouse, hospital, asylum, convalescent home, or infirmary, may, if the society or committee administering the benefit thinks fit, be applied in the provision of any surgical appliances required for the person or otherwise for his benefit after he ceases to be an inmate, or, if it is not so expended, shall be paid in cash to the person after leaving the institution, in a lump sum or in instalments as the society or committee thinks fit, and, where any sum which apart from section twelve of the principal Act would have been payable on account of sickness benefit has been paid or applied under that section as amended by this section, it shall be treated as a payment in respect of sickness benefit for the purpose of determining the rate and duration of that benefit. Amendment of s. 12 of principal Act.

(2) Proviso (ii) to subsection (2) of section twelve of the principal Act shall have effect as if for the words “both on account of sickness or disablement benefit and on account of maternity benefit” there were substituted the words “both on account of maternity benefit payable in lieu of sickness or disablement benefit and on account of maternity benefit not so payable,” and for the words “which would otherwise be payable on account of maternity benefit” there were substituted the words “which would otherwise be payable on account of such last-mentioned maternity benefit.”

16.—(1) So much of subsection (3) of section eighty-three of the principal Act as provides that the regulations made under that subsection shall require that in the case of a society or branch which has amongst its members persons resident in England, Scotland, Ireland, and Wales, or any two or any three of such parts of the United Kingdom, the members in each such parts shall, for the purposes of Part I. of the principal Act relating to valuations, surpluses, deficiencies, and transfers, be treated as if they formed a separate society, is hereby repealed: Provisions as to societies having members in more than one part of the United Kingdom.

A.D. 1913.

Provided that, where the joint committee are satisfied, on representations made within six months after the passing of this Act, that the members of any such society resident in a part of the United Kingdom other than that in which the registered office of the society is situated desire that they shall be treated as if they formed a separate society, the members of the society resident in that part shall, for the purposes aforesaid, continue to be so treated, and the joint committee in the exercise of their powers under this proviso shall in each case consult with the Commissioners for the part of the United Kingdom in question and hold an inquiry, or, where in their opinion the wishes of members cannot otherwise be properly ascertained, cause a poll to be taken in the prescribed manner.

(2) A society shall not be required to be approved in respect of any part of the United Kingdom other than that in which its registered office is situated by reason of the fact that among its members are persons for the time being resident in that part of the United Kingdom, but a society shall not admit as a member any person resident at the time of admission in any part of the United Kingdom in respect of which the society is not an approved society.

(3) A society which has received approval for more than one part of the United Kingdom may relinquish approval for any part or parts other than that in which its registered office is situate, if it satisfies the joint committee that it fulfils one or other of the following conditions :—

- (i) that none of its members are resident in the parts of the United Kingdom in respect of which approval is proposed to be relinquished ; or
- (ii) that any members who are so resident were at the time when they were admitted to membership of the society resident in a part of the United Kingdom in which the society will remain an approved society.

For the purposes of this provision, admission to membership of a society means admission to membership whether for the purposes of Part I. of the principal Act or for any other purposes of the society, and in the case of a society which is a separate section of another society includes admission to membership of that other society.

(4) Where any members of a society reside in a part of the United Kingdom in respect of which the society is not an approved society, the provisions of subsection (2) of section eighty of the principal Act, which relate to payments into and out of the Scottish National Health Insurance Fund, and the corresponding provisions of the principal Act relating to the Irish and Welsh National Health Insurance Funds, shall apply as if those members resided in the part of the United Kingdom in which the registered office of the society is situated or, in the case of a society with branches, in which the registered office of the branch of which they are members is situated.

A.D. 1913.

This subsection shall apply as respects the members of a branch of a society resident in a part of the United Kingdom other than that in which the registered office of the branch is situated, notwithstanding that the society is approved for that part, unless the joint committee, on the application of the society, otherwise determine, but no branch to which the said provisions apply shall admit as a member of the branch any person resident at the time of admission in any part of the United Kingdom other than that in which the registered office of the branch is situated.

(5) For the purposes of facilitating adjustments in respect of persons removing from Ireland to Great Britain or from Great Britain to Ireland, the transfer values and reserve values of persons resident in Ireland shall be calculated as if they were resident in Great Britain, and, where any member of an approved society is at the time of attaining the age of seventy resident in Ireland, the prescribed part of his transfer value shall be carried by the society of which he is a member to a separate account and dealt with in such manner as may be prescribed.

17. Where the executive body of a society show to the satisfaction of the Commissioners that it is of importance to the society that the rules of the society should be amended or varied immediately, but that, owing to the requirements of the rules the amendments or variation cannot be made without delay or without the authority of a meeting of the society, or some committee, or delegate body, and that that meeting cannot be held without undue delay or expense, the Commissioners may, on the application of the executive body, authorise the variation or amendment if rendered necessary by the passing of this Act to come into force immediately, and continue in force until the delay required has elapsed, or until the time at which the meeting would in ordinary course have been held, and, where the rules require the sanction of a special general meeting, the Commissioners may authorise the substitution of the sanction of the annual general meeting.

Variation in rules of approved societies.

18. An approved society may join and remain in an association for the purposes of section thirty-nine of the principal Act notwithstanding that the number of its members for the purposes of Part I. thereof is less than fifty or more than five thousand, and, in calculating for the purposes of that section the number of persons who are such members, no account shall be taken of members who by reason of marriage are suspended from receiving ordinary benefits and are not special voluntary contributors or who are not insured persons.

Provisions as to associations.

19.—(1) The Insurance Commissioners may, by special order, modify the principal Act in its application to persons whose employment is of a casual or intermittent nature, and the employers of such persons, and any such order may apply either generally or to any one or more particular trades or industries

Special provisions as to casual and intermittent employment.

A.D. 1913. — or branches thereof and either generally or in any one or more particular localities, and, where any such order is restricted to a particular trade or industry or branch thereof in a particular locality, it may extend to other persons if employed in the same class of employment as the persons to whom the order primarily relates.

(2) The order may make provision as to the amount of the employed rate and the contributions payable by the employer and by the employed contributor respectively, and the payment, recovery and collection of such contributions in such manner, in such proportions, and in respect of such periods as may be specified in the order, and for the apportionment amongst employers of the amounts payable by employers, and may modify and adapt the provisions of the principal Act accordingly, so however that the employer's contributions shall not exceed sixpence nor the employed contributor's contributions fourpence (or in the case of a woman threepence) in any week, nor, if the contributions are payable day by day, shall the employed contributor's contribution for any day exceed one penny.

(3) The provisions of the principal Act as to the laying of regulations before both Houses of Parliament and the proceedings consequent thereon shall apply to special orders made under this section in lieu of the provisions contained in subsection (2) of section one hundred and thirteen of the principal Act :

Provided that, in lieu of the inquiry as regards any draft order under the said section one hundred and thirteen, there shall be substituted for the purposes of this section an inquiry to be held by one or more competent and impartial persons to be appointed by the Lord Chancellor on the demand (made in the prescribed manner) of the person making the objection to the draft order.

Woman of
British nation-
ality married
to an alien.

20.—(1) Subsection (3) of section forty-five of the principal Act shall be amended so as to read as follows :—

“ An insured woman who, having been a British subject before marriage, has ceased to be a British subject by reason of marriage with a person not being a British subject, shall not be subject to the provisions of this section.”

(2) Where the wife of an alien insured person, being a person subject to the provisions of section forty-five of the principal Act, was before marriage a British subject, the maternity benefit payable in respect of his insurance shall, subject to regulations to be made by the Insurance Commissioners, be increased by two-sevenths, and the amount of such increase shall be paid out of moneys provided by Parliament.

Special pro-
vision for
aliens.

21. Subsection (4) of section forty-five of the principal Act shall have effect as if after the words “ approved society ” where they first occur there were inserted the words “ or which amal- gamates with or transfers its engagements to an approved

“ society or which proves to the satisfaction of the Insurance Commissioners that it has organised, either solely or jointly with other bodies, an approved society for the benefit of its members.” A.D. 1913.
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22. For the purposes of section forty-six of the principal Act, “ marine ” includes every warrant officer of marines, except Royal Marine gunners, and “ soldier ” does not include a soldier who has not been finally accepted for service. Extension of s. 46 of the principal Act to warrant officers of marines, &c.

23.—(1) In section forty-eight, subsection (1) of the principal Act, the following proviso shall be inserted :— Provisions as to the mercantile marine.

“ Provided that, in respect of that part of such period as aforesaid during which the owner of the ship is not liable to pay wages to the master, seaman, or apprentice so suffering from disease or disablement, sickness benefit may be paid in whole or part if such master, seaman, or apprentice has dependants, and was serving on a home-trade ship, and the benefit so paid shall be paid to, or applied for the relief or maintenance of, such dependants in such manner as the society or committee by which the benefit is administered, after consultation whenever possible with the master, seaman, or apprentice, thinks fit.”

(2) The rules of the Seamen’s National Insurance Society may, notwithstanding anything in subsections (4) and (8) of section forty-eight of the principal Act, provide for the admission to the society of masters, seamen, and apprentices to the sea service or sea-fishing service who are entitled to be or become voluntary contributors, and for allowing a member who leaves the sea service and who is or continues to be a voluntary contributor to remain a member of the society.

24. In subsection (1) of section fifty-one of the principal Act, for the words :— Amendment of s. 51 of principal Act.

“ Where the managers of any institution carried on for charitable or reformatory purposes prove that the persons who are inmates of and supported by the institution—”

there shall be substituted the following words, namely :—

“ Where the managers of any institution carried on for charitable or reformatory purposes prove that the persons who for such purposes are inmates of the institution.”

25.—(1) Where it appears to the Insurance Commissioners that the persons employed by any employer or group of employers in any class or classes of work are in general in receipt of a rate of remuneration which, although liable to fluctuation, is normally within any of the limits hereinafter mentioned, the Commissioners may, by a special order, declare that all the persons employed by that employer or group of employers in that class or those classes of work shall, for the purposes of the principal Act, but subject to any exceptions contained in Power to treat all employees of an employer as being remunerated at normal rate.

A.D. 1913. — the order, be treated as if they were constantly in receipt of the normal rate of remuneration, notwithstanding that those persons or any of them may in any week in fact receive a higher or lower rate of remuneration.

(2) The limits referred to in this section are—

- (a) A rate not exceeding one shilling and sixpence a working day;
- (b) A rate exceeding one shilling and sixpence but not exceeding two shillings a working day;
- (c) A rate exceeding two shillings but not exceeding two shillings and sixpence a working day.

Employers in case of outworkers.

26. The Insurance Commissioners may, by a special order, provide that as respects any outworkers or any class of outworkers specified in the order the person specified in the order shall, for the purposes of Part I. of the principal Act, be deemed to be the employer.

Decision of disputes.

27.—(1) Any dispute between an approved society and any person as to whether that person is or was at any date a member of that society for the purposes of Part I. of the principal Act, shall be decided in like manner as a dispute between an approved society and an insured person who is a member thereof, and any dispute between two or more approved societies or between an approved society and an insurance committee or between two or more insurance committees, shall be decided in like manner as a dispute between an insured person and an insurance committee, and section sixty-seven of the principal Act shall apply accordingly.

(2) If any question arises as to the person who is the employer of an employed contributor, the question shall be determined in like manner as a question in paragraph (a) of section sixty-six of the principal Act, and that section shall apply accordingly.

Extension of powers of Commissioners to make regulations.

28. The Insurance Commissioners may make regulations with respect to all or any of the matters specified in the First Schedule to this Act, and the regulations may contain such incidental, supplemental, and consequential provisions as appear necessary for modifying and adapting the provisions of the principal Act to the provisions of the regulations and otherwise for the purpose of the regulations.

Joint committee and Insurance Commissioners.

29.—(1) Regulations made by the Treasury under section eighty-three of the principal Act may incorporate the joint committee constituted under that section.

(2) All documents issued before the commencement of this Act by the joint committee, either alone or jointly with any of the bodies of Insurance Commissioners appointed for the purposes of Part I. of the principal Act shall be deemed to have been validly issued if issued under a seal purporting to be the seal of the joint committee, or under the hands of any

four or more of the members of the committee countersigned by the secretary or clerk to the joint committee. A.D. 1913.

(3) The Documentary Evidence Act, 1868, as amended by the Documentary Evidence Act, 1882, shall apply to each of the said several bodies of Insurance Commissioners, and to the said joint committee, as if each of those bodies and the joint committee were included in the first column of the schedule to the first-mentioned Act, and the chairman or any other member or the secretary or clerk, or any person authorised to act on behalf of the secretary or clerk, of the body or committee, were mentioned in the second column of that schedule, and as if the regulations referred to in those Acts included any document issued by any of those bodies or that committee. 31 & 32 Vict.
c. 37.
45 & 46 Vict.
c. 9.

(4) This section shall come into operation on the passing of this Act.

30.—(1) Every insurance committee constituted or to be constituted under section fifty-nine subsection (1) of the principal Act shall be a body corporate by the name of the insurance committee for the borough (or county) of _____, and every such insurance committee shall have perpetual succession and a common seal, and may sue and be sued, and (subject to the consent in every case of the Insurance Commissioners) have power and authority (without any licence in mortmain) to take, purchase, and hold land for the purposes of the principal Act and this Act. Insurance committees.

(2) At least one woman shall be on every sub-committee formed by an insurance committee for dealing with the administration of any benefit, and section fifty-nine of the principal Act shall be varied accordingly.

31.—(1) In addition to any allowances for travelling expenses which may be paid under subsection (2) of section sixty-one of the principal Act, an insurance committee may pay to the members of the committee subsistence allowance and compensation for loss of remunerative time in accordance with a scheme prepared by the committee and approved by the Insurance Commissioners, and there shall be paid out of moneys provided by Parliament towards the expenses of an insurance committee under such scheme, such sum (if any) as the Insurance Commissioners with the consent of the Treasury, may determine so, however, that the aggregate amount so paid shall not exceed thirty thousand pounds in any one year. Expenses of insurance committees.

(2) After the words "Provided that, if the special circumstance of any county" in subsection (2) of section sixty-one of the principal Act, there shall be added the words "or county borough."

(3) An insurance committee may pay as general expenses incurred by them in the execution of their duties any sum, not exceeding ten pounds in any one year, as a subscription to the funds of any association of insurance committees whose objects are approved by the Insurance Commissioners, as well as any

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Consultation with practitioners who have entered into agreements with insurance committees.

32. Where it is made the duty of an insurance committee under the provisions of this Act or of the principal Act, or of regulations made thereunder, to ascertain, in respect of any matter affecting the administration of medical benefit in the area, the opinions and wishes of the medical practitioners who have entered into agreements with the insurance committee for the attendance and treatment of insured persons whose medical benefit is administered by the committee, they shall do so through a committee appointed by such practitioners in accordance with regulations made by the Insurance Commissioners, and such committee shall perform such duties and shall exercise such powers as may be determined by the Insurance Commissioners, and in any area in which within six months of the time of the passing of this Act no local medical committee has been recognised under the provisions of section sixty-two of the principal Act, a committee elected in the manner herein-before provided may be recognised as the local medical committee for that area.

Committees elected by persons, &c., supplying drugs and medicines.

33.—(1) In every county or county borough there shall be elected, in accordance with regulations made by the Insurance Commissioners, by the persons, firms, and bodies corporate, who have agreed to supply drugs, medicines, and appliances to insured persons whose medical benefit is administered by the committee, a local committee, and it shall, subject to regulations made by the Insurance Commissioners, be consulted by the insurance committee on all general questions affecting the supply of drugs, medicines, and appliances to insured persons, and shall perform such duties and exercise such powers as may be determined by the Insurance Commissioners.

(2) The insurance committee, if requested so to do by any committee elected by the medical practitioners who have entered into agreement with the insurance committee for the attendance and treatment of insured persons whose benefit is administered by the insurance committee, and if requested by the local committee elected in manner provided by the last foregoing subsection, may be authorised by the Insurance Commissioners out of moneys available for the provision of medical benefit within the area to allot to, and for the administrative expenses of, each of the said committees, respectively, such a sum not exceeding one penny in all in respect of each insured person entitled to obtain medical attendance and treatment from the practitioners who have entered into agreement with the insurance committee as may be determined by the insurance committee with the consent of the Commissioners.

Offences and legal proceedings.

34.—(1) If any employer deducts, or attempts to deduct, from the wages or other remuneration of an employed contributor the whole or any part of the employer's contribution,

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as defined in the Second Schedule to the principal Act, he shall be guilty of a contravention of the provisions of Part I. of the principal Act.

(2) Every person who buys, takes in exchange, or takes in pawn from an insured person, or any person acting on his behalf, on any pretence whatever, any insurance card or insurance book shall be liable on summary conviction to a fine not exceeding ten pounds.

(3) The time within which proceedings may be taken under subsection (2) of section sixty-nine of the principal Act against an employer charged with an offence of failing or neglecting to pay any contribution in respect of an employed contributor shall be one year from the date of the commission of the alleged offence, and where an employer has been convicted of such an offence then, if notice of the intention to do so is served with the summons or warrant, evidence may be given of failure or neglect on the part of the employer to pay other contributions in respect of that employed contributor during the year preceding the date when the information was laid, and on proof of such failure or neglect the employer shall be liable to pay to the Insurance Commissioners a sum equal to the total amount of all the contributions which he is so proved to have failed or neglected to pay.

35. The provisions of section one hundred and fourteen of the principal Act, which relate to certificates of birth, shall apply to certificates of marriage in like manner as they apply to certificates of birth, except that the fee shall be one shilling instead of sixpence and that the person from whom the certificate and form of requisition may be obtained shall be the registrar or superintendent registrar or other person having the care of the register in which the marriage is entered.

Provision as to marriage certificates.

36. The special fund constituted under section forty-two of the principal Act shall be known as the "Deposit Contributors Fund," and, consequently, references in the principal Act and documents issued thereunder to the Post Office Fund shall be construed as references to the Deposit Contributors Fund.

Change of name of Post Office Fund.

37. Stamp duty shall not be chargeable upon the documents in connection with business under Part I. of the Principal Act, specified in the Second Schedule to this Act.

Exemption of documents from stamp duty.

38. Where, under any provision of the principal Act or any regulations made thereunder, the Insurance Commissioners are required or authorised to hold, or to appoint any committee or person to hold an inquiry, the witnesses shall, if the Commissioners think fit, or if any one of the parties so demand, be examined on oath, and the committee or person appointed to hold an inquiry shall have power to administer oaths for the purpose.

Power to take evidence on oath.

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Agreements
with Metro-
politan
Asylums
Board.

39. Notwithstanding anything in any Act, it shall be lawful for the managers of the Metropolitan Asylums district, with the sanction of the Local Government Board, to enter into agreements with any county council or county borough council or, with the consent of the county council, with any authority in a county, for the reception of insured persons and their dependants suffering from tuberculosis or any such other disease as the Local Government Board, with the approval of the Treasury, may appoint under section eight of the principal Act, into hospitals or sanatoria provided by the managers, and for this purpose the managers shall not be deemed to be a poor law authority. Any such agreements may provide that the cost of the treatment of the patients so received, or some part thereof, shall be borne otherwise than as provided by section eighty of the Public Health (London) Act, 1891.

54 & 55 Vict.
c. 76.

Revocation
and amend-
ment of orders
and extension
of time for
making orders
under s. 78 of
principal Act.

40.—(1) Any order or special order made under the principal Act or this Act may be revoked, varied, or amended by an order or special order made in like manner as the original order.

(2) The time, within which the powers of the Insurance Commissioners to make orders under section seventy-eight of the principal Act may be exercised, shall be extended to the thirty-first day of December nineteen hundred and fourteen.

Special pro-
visions as to
Scotland.

41.—(1) For the purpose of providing institutions for the treatment of tuberculosis or any such other disease as the Local Government Board for Scotland, with the approval of the Treasury, may appoint, a county council in Scotland shall have power to borrow in terms of the Local Government (Scotland) Act, 1889, on the security of the general purposes rate, as applied by section eighty of the principal Act, such sums as may be required, and shall have power to acquire, purchase, or take on lease any land; and the provisions of section five of the Local Government (Scotland) Act, 1908, shall apply accordingly as if the principal Act and this Act were specified therein.

(2) Expenses of a district committee defrayed out of the public health general assessment within the district in pursuance of an agreement under the principal Act or this Act, or in the exercise of any power of dealing with tuberculosis or such other disease as aforesaid as an infectious disease, shall not be reckoned in any calculation as to the statutory limit of that assessment.

(3) A county council in Scotland that has been authorised by the Board to provide an institution in terms of section sixty-four subsection (2) of the principal Act shall have the same powers of providing treatment for all persons suffering from tuberculosis or such other disease as aforesaid as are possessed by local authorities under the Public Health (Scotland) Act, 1897, for the treatment of infectious diseases.

60 & 61 Vict.
c. 38.

(4) At the end of subsection (4) of section eighty of the principal Act, the following shall be added:—

“And provided further that, for the purposes of subsection (3) of section sixty-four of this Act, relating to the

provision of sanatoria, burghs and police burghs so held to be within the county may receive direct representation in groups or otherwise, on any joint committees, joint boards, or other bodies thereby constituted, in such manner as may be determined by the Board."

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(5) All proceedings for any contravention of, or non-compliance with, any of the provisions of Part I. or of Part III., so far as relating to matters under Part I. of the principal Act or this Act, or the regulations made thereunder, shall in Scotland be instituted and carried on under the provisions of the Summary Jurisdiction (Scotland) Acts, and may be taken at the instance of the procurator fiscal or of the Scottish Insurance Commissioners.

(6) Where an employer in Scotland has failed or neglected to pay any contributions which, under Part I. of the principal Act, he is liable to pay in respect of an employed contributor, the amount which he has so failed or neglected to pay shall be a debt due from the employer to the Commissioners, and shall be recoverable by the Commissioners summarily as a civil debt: Provided that the powers conferred by this section on the Commissioners shall be deemed to be in supplement of and nowise in restriction of the powers conferred upon them or upon members of approved societies by the principal Act.

(7) The reference in this Act to the Lord Chancellor shall, as respects Scotland, be construed as a reference to the Lord President of the Court of Session.

42.—(1) Where the area of an insurance committee making an arrangement under subsection (1) of section sixteen of the principal Act is situate in Wales, the Welsh Insurance Commissioners shall be substituted for the Local Government Board as the authority whose approval is required under that subsection for the purpose of enabling that committee to enter into such an arrangement.

Special provisions as to Wales.

(2) The council of a county or county borough in Wales may agree with King Edward the Seventh's Welsh National Memorial Association to make such annual or other payments, subject to such conditions and for such periods as may be approved by the Welsh Insurance Commissioners, and any expenses incurred under this subsection shall, in the case of a county council, be defrayed in like manner as expenses under subsection (2) of section sixty-four of the principal Act, and, in the case of a county borough council, as part of their expenses incurred in the execution of the Public Health Acts.

43.—(1) This Act may be cited as the National Insurance Act, 1913, and the principal Act and this Act may be cited together as the National Insurance Acts, 1911 to 1913.

Short title, construction.

(2) This Act shall be deemed to be part of Part I. of the principal Act, except that any provisions of this Act which supersede or amend any provisions of Part III. of the principal

A.D. 1913. Act shall be deemed to be part of Part III. of the principal Act.

(3) This Act shall, save as otherwise expressly provided, come into operation on the first day of September nineteen hundred and thirteen or such later date or dates as the Joint Committee may by order appoint, and different days may be appointed for different purposes and different provisions of this Act, so, however, that no date later than the thirteenth day of October, nineteen hundred and thirteen, shall be appointed for the coming into operation of the provisions of this Act altering the rates of sickness or disablement benefit in respect of any class of insured persons, nor later than the fifteenth day of January, nineteen hundred and fourteen, in respect of any other purpose or provision.

(4) The provisions of the principal Act mentioned in the Third Schedule to this Act are hereby repealed.

SCHEDULES.

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FIRST SCHEDULE.

Section 28.

MATTERS WITH RESPECT TO WHICH REGULATIONS MAY BE MADE.

(A) The manner and conditions in and upon which the following matters may be carried into effect :—

- (i) The amalgamation for the purposes of Part I. of the principal Act of any two or more approved societies, or of an approved society with a society which is not an approved society, or of any two or more branches of an approved society :
- (ii) The transfer by an approved society of its engagements under Part I. of the principal Act, or of such of those engagements as relate to members resident in a particular part of the United Kingdom, to any other approved society which undertakes to fulfil these engagements, and the transfer from one branch to one or more other branches or to the society of such engagements as aforesaid.
- (iii) The financial adjustments to be made on any such amalgamation or transfer.

(B) The manner and conditions in and upon which the dissolution of approved societies may be carried into effect, and for that purpose providing for the valuation of the assets and liabilities of dissolved societies under Part I. of the principal Act, and the reduction (either permanently or temporarily), in the event of a deficiency being disclosed, of the rates of benefits payable to members and the periods during which those benefits or any of them are payable, and for the establishment of a special fund to which contributions of such members are to be paid, and out of which their benefits are to be paid, and the application, subject to the prescribed modifications adaptations and exceptions, to such fund and the members thereof, of the provisions of Part I. of the principal Act relating to approved societies and the membership of and transfer to and from approved societies.

(C) Authorising the Commissioners to withdraw approval from a society on account of maladministration of its affairs under the principal Act in cases where it appears expedient in the interests of the members of the society to do so.

(D) The crediting or variation (whether by way of increase or decrease) and cancellation of reserve values.

(E) Applying to the Navy and Army Insurance Fund and to members of that fund such of the provisions of the principal Act as amended by this Act, relating to approved societies and to membership of and transfer to and from approved societies, as the Commissioners think necessary for facilitating admissions to and transfer from the fund and for the proper administration of the fund, and for continuing the right to payment of maternity benefit out of that fund until the man is transferred to an approved society or becomes a deposit contributor,

A.D. 1913. — and for extending any of the provisions of subsection (3) of section forty-six of the principal Act to seamen, soldiers, and marines who are not members of an approved society.

(F) For enabling the sums required to be paid or credited in any year to insurance committees under subsection (1) of section sixty-one of the principal Act, instead of being paid or credited at the commencement of the year, to be paid or credited at such time or times and in such instalments and in such manner and proportions as may, with the consent of the Treasury, be prescribed.

(G) Enabling approved societies and insurance committees, and in the case of persons entitled to benefits out of the Navy and Army Insurance Fund, the Admiralty or Army Council, to appoint a person to exercise on behalf of any insured person of unsound mind any right of election which that person is, under Part I. of the principal Act entitled to exercise, and to appoint a person to receive on behalf and for the benefit of such person any sums by way of benefit which would otherwise have been payable to him.

Section 37.

SECOND SCHEDULE.

1. Draft, or order, or receipt given by or to an approved society, or branch, or insurance committee in respect of money payable in pursuance of Part I. of the principal Act, or of the rules of the society or branch.

2. Letter or power of attorney granted by any person as trustee for the transfer of any money of an approved society, or branch, or insurance committee invested in his name in the public funds.

3. Bond or other security given to, by, or on account of an approved society or branch, or by the treasurer or other official thereof.

4. Appointment or revocation of appointment of agent, or other document required or authorised by or in pursuance of Part I. of the principal Act, or by the rules of an approved society or branch.

5. Agreement entered into between an approved society or branch and an insurance committee in regard to medical benefit under Part I. of the principal Act.

Section 43.

THIRD SCHEDULE.

ENACTMENTS REPEALED.

Subsection (4) of section one.

Paragraph (a) of subsection (4) of section four.

In subsection (5) of section eight the words (“and at least fifty weekly contributions have been paid by or in respect of him”).

Subsection (3) of section nine.

Subsection (6) of section ten.

Proviso (i) of subsection (2) of section twelve.

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Subsection (1) of section eighteen, from (“but if in the case of a
“midwife being selected”) to the end of that subsection.

Subsection (3) of section forty-five.

Section forty-nine.

Table C. in Part I. of the Fourth Schedule.

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