

**Exempt Persons.**

THE NATIONAL HEALTH INSURANCE (EXEMPT PERSONS) REGULATIONS (NORTHERN IRELAND), 1938, DATED MARCH 7, 1938, MADE BY THE NATIONAL HEALTH INSURANCE JOINT COMMITTEE AND THE MINISTRY OF LABOUR FOR NORTHERN IRELAND UNDER THE NATIONAL HEALTH INSURANCE ACT, 1936.

1938. No. 29.

The National Health Insurance Joint Committee and the Ministry of Labour for Northern Ireland, acting jointly so far as regards Regulations which the said Joint Committee are empowered to make jointly with the said Ministry, and the said Ministry acting separately so far as regards Regulations which it is empowered to make alone, in exercise of the several powers conferred on them by the National Health Insurance Act, 1936, and of all other powers enabling them in that behalf, hereby make the following Regulations:—

**1.**—These Regulations may be cited as the National Health Insurance (Exempt Persons) Regulations (Northern Ireland), 1938.

**2.**—(1) In these Regulations, unless the context otherwise requires—

“ the Act ” means the National Health Insurance Act, 1936, as amended by any subsequent enactment;

“ the Ministry ” means the Ministry of Labour for Northern Ireland;

“ certificate of exemption ” means a certificate under Section 5 of the Act exempting the person to whom the certificate is granted from liability to be insured under the Act;

“ contribution ” means a contribution paid under the Act for any period in which the person in respect of whom it is paid is an exempt person;

“ employment ” means employment within the meaning of the Act, and “ employed ” has a corresponding meaning;

“ insured ” means a person insured under the Act.

(2) The Interpretation Act, 1921, applies to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

**3.**—The National Health Insurance (Exempt Persons) Regulations (Northern Ireland), 1924, and the National Health Insurance

(Exempt Persons) Amendment Regulations (Northern Ireland), 1932, are hereby revoked but without prejudice to anything duly done or suffered, or to any right, privilege, obligation or liability acquired, accrued or incurred, thereunder.

4.—(1) A person applying under paragraph (d) of subsection (1) of Section 5 of the Act for a certificate of exemption shall be entitled to such certificate if he proves that, having been continuously an insured person since the commencement of the contribution year next preceding that in which the application is made, he has been employed for less than eighteen weeks in that year.

(2) If, after the end of any contribution year commencing after the date on which a certificate of exemption is granted by virtue of paragraph (d) of subsection (1) of Section 5 aforesaid, the Ministry is satisfied that the person holding the certificate of exemption has been employed for twenty-six or more weeks in that contribution year, he shall cease to be entitled to exemption under that provision as from such date as the Ministry may determine.

(3) A person holding a certificate of exemption by virtue of paragraph (d) of subsection (1) of Section 5 aforesaid who is not disqualified under the provisions of the last preceding paragraph from remaining an exempt person shall be entitled, upon making application to the Ministry in the manner, within the period, and subject to the conditions specified in Regulations 7, 8 and 9 of these Regulations, to obtain a renewal of such certificate, notwithstanding that at the time of applying for renewal the conditions specified in paragraph (1) of this Regulation may not be satisfied.

(4) An outworker in respect of whom contributions are paid by reference to units of work done shall be treated for the purposes of this Regulation as if he had been employed in any contribution year for a number of weeks equal to the number of contributions paid by his employer or employers in respect of him for that year.

5.—A certificate of exemption shall be in such form as the Ministry may approve, and shall be authenticated in such manner as the Ministry may from time to time determine.

6.—A claim for exemption shall be in such form as the Ministry may determine, and shall be addressed to the Ministry, either directly or through such officer or person as the Ministry may appoint.

**7.**—A certificate of exemption shall remain in force for such period not exceeding five years from the date of grant or renewal as may be specified in the certificate :

Provided that—

- (i) if during the currency of the certificate the circumstances of the exempt person alter in such a way that he is no longer entitled to exemption on any of the grounds specified in paragraphs (a), (b) or (c) of subsection (1) of Section 5 of the Act, the certificate shall thereupon become void ; and
- (ii) if at any time the exempt person gives notice to the Ministry that he desires that his certificate of exemption shall be cancelled, or if the exempt person has ceased to be employed, the certificate shall be cancelled as from such date as the Ministry may determine.

**8.**—Where an exempt person desires to obtain a renewal of his certificate of exemption, he may, before the expiration of the period for which that certificate is in force, make a claim for the renewal thereof by sending to the Ministry an application in such form as the Ministry may direct, and the Ministry shall, if it is satisfied that the claimant continues to be entitled to exemption, renew the certificate accordingly.

**9.**—Every person making a claim for exemption, or for the renewal of a certificate of exemption, shall state fully and correctly all particulars required to be given in the form approved by the Ministry for the purpose, and shall furnish such further evidence in relation to his claim, by statutory declaration or otherwise, as the Ministry may require, and the Ministry may, in the case of a claim for exemption by an insured person, require production of his contribution card for the contribution half-year then current.

**10.**—(1) If an exempt person changes his place of residence, he shall give notice to the Ministry of the address of his new place of residence.

(2) If an exempt person ceases to be entitled to exemption, or if he ceases to be employed, he shall immediately notify the Ministry accordingly.

**11.**—(1) All contributions paid in respect of exempt persons shall be carried by the Ministry to the credit of a fund to be called the Exempt Persons Fund.

(2) The provisions of sections 142 and 158 of the Act, which require the Ministry to ascertain what sums standing in the Northern Ireland National Health Insurance Fund are available for investment, and which regulate the investment of the amount so ascertained and the crediting of interest on investments, and the provisions of any Regulations made under those sections, shall apply to sums standing in the Exempt Persons Fund as they apply to sums standing to the credit of the Deposit Contributors Fund, the Deposit Contributors Insurance Section, the Navy, Army and Air Force Insurance Fund and the Reserve Suspense Fund in the Northern Ireland National Health Insurance Fund.

Given under the Official Seal of the National Health Insurance Joint Committee this 7th day of March, nineteen hundred and thirty-eight.

(L.S.)

E. C. MOFFREY,

Secretary to the National Health Insurance  
Joint Committee.

Given under the Official Seal of the Ministry of Labour for Northern Ireland this 7th day of March, nineteen hundred and thirty-eight.

(L.S.)

W. A. B. ILIFF,

Assistant Secretary to the Ministry of Labour  
for Northern Ireland.

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#### **Extension of Enactments.**

ORDER IN COUNCIL, DATED 19TH JANUARY, 1938, MADE UNDER THE NATIONAL HEALTH INSURANCE (JUVENILE CONTRIBUTORS AND YOUNG PERSONS) ACT (NORTHERN IRELAND), 1937.

1938. No. 12.

BY THE GOVERNOR IN THE PRIVY COUNCIL  
OF NORTHERN IRELAND.

(Signed) ABERCORN.

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WHEREAS by section eight of the National Health Insurance (Juvenile Contributors and Young Persons) Act, 1937, passed by the Parliament of the United Kingdom (in this Order referred to as "the United Kingdom Act") it is enacted that the United