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SCHEDULES

SCHEDULE 27

MINOR AND CONSEQUENTIAL AMENDMENTS

PART II

ENACTMENTS OF THE PARLIAMENT OF NORTHERN IRELAND, AND ORDERS IN COUNCIL APPLYING TO NORTHERN IRELAND

The National Insurance (Industrial Injuries) Act (Northern Ireland) 1966 (c. 9)

- 129 In section 5(4) of the National Insurance (Industrial Injuries) Act (Northern Ireland) 1966, for " sections 71 and 75(2)" substitute " section 75(2) and of section 94(8) of the Social Security Act ".
- 130 In section 8(2), after " vessel" insert " hovercraft (within the meaning of the Hovercraft Act 1968) ".
- 131 In section 11, after subsection (4) insert—
“(5) Subsection (1)(a) to (e) of section 12 of the Social Security Act, and any regulations made under those paragraphs or under subsection (2) of that section, shall have effect for the purposes of injury benefit as they have effect for the purposes of unemployment benefit or sickness benefit under Part I of that Act.”.
- 132 In section 13A(5), for " Insurance Act" substitute " Social Security Act ".
- 133 In section 17(5), for " 28 of the Insurance Act" substitute " 22 of the Social Security Act ".
- 134 In section 19(3), in paragraph (d) for "the upper limit of the compulsory school " substitute " school-leaving ".
- 135 Section 27(2) shall continue to have effect subject to the amendment made by section 2(1) of the National Insurance &c. Act (Northern Ireland) 1969, that is to say, for paragraph (b) there shall continue to be substituted—
“(b) for extinguishing the right to payment of any sum by way of benefit if payment is not obtained within a prescribed period, not being less than twelve months, from the date on which the right is to be treated under the regulations as having arisen”.
- 136 In section 28(1), after " beneficiary" insert " , or on his estate and effects vesting in the official assignee under section 349 of the Irish Bankrupt and Insolvent Act 1857, ".
- 137 In section 29(1), for " against which he is insured under this Act" substitute " arising out of and in the course of his employed earner's employment ".

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- 138 In section 32(1), for " Part II of the Insurance Act " substitute " Chapter II of Part I of the Social Security Act " .
- 139 In section 34(3), for paragraph (b) substitute—
 “(b) the employed earners have died as a result of accidents arising out of and in the course of their employed earner's employment,” .
- 140 In section 35—
- (a) in subsection (2), for " 63(1)(d) of that Act" substitute " 84(1)(d) of the Social Security Act " ;
 - (b) in subsection (3)—
 - (i) for the words from " subsection (1)(a) to (e)" onwards substitute " subsection (1)(a) as it applies in relation to any question arising under the Social Security Act such as is mentioned in section 84(1)(a) of that Act " ,
 - (ii) for " Supreme Court" substitute " Court of Appeal " ;
 - (c) in subsection (4) for " the said section 63(1)(a) to (c)" substitute " section 84(1)(a) of the Social Security Act " .
- 141 In section 49—
- (a) in subsection (2)—
 - (i) in paragraph (a) for " an insurance tribunal" substitute " and a competent tribunal " ;
 - (ii) in paragraph (b) for " insurance tribunal" substitute " competent tribunal " ;
 - (iii) in paragraphs (c) and (h) for " an insurance tribunal" substitute (in each case) " a competent tribunal " ;
 - (iv) in paragraph (g) for " an insurance tribunal" substitute " or a competent tribunal " ;
 - (b) in subsection (6), for "' insurance tribunal'" substitute " ' competent tribunal'. " .
- 142 In section 53—
- (a) in subsections (3) and (9), for " the Insurance Act" substitute (in each case) ' Part I of the Social Security Act,'
 - (b) in subsection (5), for " subsections (6) and (8)" substitute " subsection (6), "
 - (c) for subsection (11) substitute—
 “(11) This section is subject to paragraphs 4 to 6 of Schedule 10 to the Social Security Act” .
- 143 In section 67(1), for ' injuries and diseases against which persons are insured under this Act' substitute " arising out of and in the course of employment, or injuries and diseases which are due to the nature of employment " .
- 144 In section 69(1), for " against which he was insured under this Act" substitute " due to the nature of his employment " .
- 145 For section 70 substitute—

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“70 Persons employed by or under the Crown.

This Act shall apply to persons employed by or under the Crown in like manner as if such persons were employed earners in the employment of a private person:

Provided that employment in the naval, military or air force service of the Crown and any other prescribed employment under the Crown shall not be, or be treated as, employed earner's employment.”

146 For section 73 substitute—

“73 Persons under school-leaving age.

A person who has not attained school-leaving age shall not be entitled to injury benefit except as may be provided by regulations.”

147 In section 81—

(a) in subsection (1)—

(i) for the definition of " Commissioner " substitute—

“Commissioner ' means a National Insurance Commissioner appointed under paragraph 13 of Schedule 22 to the Social Security Act,”

(ii) after the definition of " relevant loss of faculty " insert " ' the Social Security Act' means the Social Security Act 1973, "

(b) for subsection (2)(b) substitute—

“(b) a person shall be deemed to have attained or not to have attained school-leaving age if he would be treated as being, as the case may be, over or under the upper limit of the compulsory school age for the purposes of that Act (disregarding any regulations made by virtue of section 2 of the Family Allowances and National Insurance Act (Northern Ireland) 1968)”.

148 In Schedule 3, paragraph 9(c), column 2, for " National Insurance Act (Northern Ireland) 1966 as specified in Schedule 3 " substitute " Social Security Act as specified in Part I of Schedule 4 ".