

1967 No. 520

SOCIAL SECURITY

**The National Insurance (Medical Certification)
Regulations 1967**

<i>Made</i> - - - -	23rd March 1967
<i>Laid before Parliament</i>	10th April 1967
<i>Coming into Operation</i>	12th April 1967

The Minister of Social Security, in exercise of powers conferred by section 75(2) of the National Insurance Act 1965(a), and of all other powers enabling her in that behalf, for the purpose only of consolidating the regulations hereinafter revoked, hereby makes the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the National Insurance (Medical Certification) Regulations 1967 and shall come into operation on 12th April 1967.

(2) In these regulations, unless the context otherwise requires—

“the Act” means the National Insurance Act 1965;

“the Minister” means the Minister of Social Security;

“the determining authority” means, as the case may require, an insurance officer, a local tribunal, the Chief National Insurance Commissioner appointed under section 9 of the National Insurance Act 1966(b) and any other National Insurance Commissioner so appointed, or any tribunal constituted under subsection (3) of that section.

“incapacity” means incapacity by reason of which a person is rendered incapable of work;

“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;

and other expressions have the same meanings as in the Act.

(3) References in these regulations to any enactment or regulations shall include a reference to such enactment or regulations as amended by any subsequent enactment, order or regulations.

(a) 1965 c. 51.

(b) 1966 c. 6.

(4) The rules for the construction of Acts of Parliament contained in the Interpretation Act 1889(a) shall apply in relation to this instrument and in relation to the revocations effected by it as if this instrument and the regulations revoked by it and any regulations revoked by the regulations so revoked were Acts of Parliament, and as if each revocation were a repeal.

(5) For the purpose of any provision of these regulations providing that any certificate shall be in a form as set out in Schedule 1 or Schedule 2 to these regulations, any reference to such form shall include a reference to any such other form substantially to the like effect as the Minister may from time to time approve.

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 section A of Schedule 1 to these regulations in the form appropriate to the circumstances of the case, as set out in section B of that Schedule 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—

(a) where the claim is made in respect of expectation of confinement, that she is pregnant and as to the stage which she has reached in her pregnancy; or

(b) where the claim is made by virtue of the fact of confinement, that she has been confined,

and shall furnish such evidence by means of a certificate given in accordance with the rules for certification set out in section A of Schedule 2 to these regulations on the appropriate form as set out in section B of that Schedule or by such other means 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.

Revocation and Transitional Provisions

3.—(1) The regulations specified in Schedule 3 Column 1 of these regulations are hereby revoked to the extent mentioned in column 3 of that Schedule.

(2) Anything whatsoever done under or by virtue of any regulation revoked by these regulations shall be deemed to have been done under or by virtue of the corresponding provision of these regulations, and anything whatsoever begun under any such regulation may be continued under these regulations as if begun under these regulations.

(3) So much of any document as refers expressly or by implication to any regulation revoked by these regulations shall, if and so far as the context permits, be construed as referring to the corresponding provision of these regulations.

Margaret Herbison,
Minister of Social Security.

23rd March 1967.

SCHEDULE 1

Regulation 2(1)

SECTION A

RULES FOR MEDICAL CERTIFICATION

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;

(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.

3. The statement of the incapacitating disease or disablement in the certificate shall specify the cause of incapacity as precisely as the practitioner's knowledge of the claimant's condition at the time of the examination permits: provided that, if in the practitioner's opinion a disclosure to the claimant of the precise cause would be prejudicial to his well-being, the certificate may contain a less precise statement.

4. Every certificate must have been given on a date not more than one day later than the date of the examination upon which it is based, and 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”.

5. Where the claimant has been accepted on the list of a practitioner providing general medical services under the National Health Service Act 1946 or the National Health Service (Scotland) Act 1947, and is being attended by such a practitioner, or is receiving treatment on the advice of such a practitioner at any hospital or similar institution as an out-patient, the certificate shall be on a form supplied by an Executive Council for the purpose and shall be signed by that practitioner.

6. Where the claimant is being attended by any other practitioner the certificate shall be either on a form supplied by an Executive Council, or on such other form substantially to the like effect as the determining authority may accept, and shall be signed by such other practitioner.

7. The certificate shall be in the form set out in section B of this Schedule.

8. In any case in which, in the opinion of the practitioner, the claimant will become fit to resume work on a day not later than the end of the 7th day after the date of the examination on which the certificate is based, the certificate shall specify the first-mentioned day.

9. In any other case, the certificate shall cover a specified number of days or weeks from and including the date of the examination on which the certificate is based, which shall not exceed 28 days, or where at that date the incapacity has continued for not less than 28 days, 13 weeks.

10. Before resuming work, every claimant shall furnish a certificate in accordance with the provisions of rule 8 specifying the date on which, in the opinion of the practitioner, the claimant will become fit to resume work.

11. In computing any period of time in relation to any certificate given under rules 8 or 9, Sunday shall not be disregarded.

SECTION B
FORM OF CERTIFICATE
MEDICAL CERTIFICATE

In confidence to—

Mr.
Mrs.
Miss.....

I certify that I examined you ^{today}_____and that in my opinion—
yesterday

1. you were incapable of work at the time of the examination by reason of
.....
.....

and

2. (a) you will be fit to resume work today/tomorrow/on.....
next;* or
(b) you will remain incapable of work for a period of..... †

[Complete 2(a) or (b), whichever is appropriate.]

Doctor's signature.....

Date.....

Any other remarks by doctor.....
.....

*The day indicated must not be more than 7 days (Sundays included) after the date of the examination.

†The period entered must not exceed 28 days unless the incapacity has already continued for 28 days or more, in which case it must not exceed 13 weeks (Sundays included).

SCHEDULE 2

Regulation 2(2)

SECTION A

RULES FOR CERTIFICATION OF CONFINEMENT

1. Certificates of confinement or expected confinement shall be in writing in ink or other indelible substance signed by a registered medical practitioner or certified midwife attending the woman.

2. The certificate shall be on a form provided by the Minister for the purpose. The wording of the certificate shall be that set out in the appropriate form in section B of this Schedule.

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.

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".

SECTION B
FORMS OF CERTIFICATE

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 a child on the.....
.....children(b)
day of.....19....

(It is important that, where the medical practitioner or midwife considers that the confinement(a) took place before the week(c) in which it was expected, the following paragraph should be completed. In any other case, it should be struck through.)

I certify that, in my opinion, it was to be expected that she would be
confined(a) in the week(c) containing 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 1965 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) The week referred to is a contribution week, i.e., 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 fourteenth week* before the week* containing the day of expected confinement.)

To.....

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

SCHEDULE 3

Regulation 3

REGULATIONS REVOKED

Citation	Statutory Instrument	Extent of Revocation
The National Insurance (Medical Certification) Regulations 1948.	S.I. 1948/1175 (Rev. XVI, p. 324; 1948 I, p. 2803).	The whole of the regulations.
The National Insurance (Medical Certification) Amendment Regulations 1949.	S.I. 1949/1981 (1949 I, p. 2730).	The whole of the regulations.
The National Insurance (Medical Certification) Amendment Regulations 1952.	S.I. 1952/992 (1952 II, p. 2180).	The whole of the regulations.
The National Insurance (Maternity Benefit and Miscellaneous Provisions) Regulations 1954.	S.I. 1954/189 (1954 I, p. 1387).	Regulation 18 and Parts I and II of the First Schedule.
The National Insurance (Medical Certification) Amendment Regulations 1965.	S.I. 1965/900 (1965 I, p. 2382).	The whole of the regulations.
The National Insurance (Medical Certification) Amendment Regulations 1966.	S.I. 1966/26 (1966 I, p. 37).	The whole of the regulations.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations consolidate the National Insurance (Medical Certification) Regulations 1948 with subsequent amending Regulations. They are made for the purpose only of consolidation and accordingly, by virtue of section 108 of the National Insurance Act 1965, have not been referred to the National Insurance Advisory Committee.

The Regulations provide for the manner in which evidence is to be given for the purposes of sickness benefit and maternity benefit, and contain rules as to the form in which and the times at which certificates should be furnished when claiming those benefits.