

SCHEDULE 1

Regulation 2(1)

PART I

RULES

1. In these rules, unless the context otherwise requires—

“claimant” means the person in respect of whom a statement is given in accordance with these rules;

“doctor” means a registered medical practitioner not being the claimant;

“doctor's statement” means a statement given in accordance with these rules;

“2 weeks” means any period of 14 consecutive days.

2. The doctor's statement shall be in the form set out in Part II of this Schedule.

3. Where the claimant is on the list of a doctor 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 doctor, the doctor's statement shall be on a form provided by the Secretary of State for the purpose and shall be signed by that doctor.

4. In any other case, the doctor's statement shall be either on a form provided by the Secretary of State for the purpose or in a form substantially to the like effect, and shall be signed by the doctor attending the claimant.

5. Every doctor's statement shall be completed 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 doctor's statement is based;

(c) the diagnosis of the claimant's disorder in respect of which the doctor is advising the claimant to refrain from work or, as the case may be, which has caused the claimant's absence from work;

(d) the date on which the doctor's statement is given;

(e) the address of the doctor,

and shall bear, opposite the words “Doctor's signature”, the signature of the doctor making the statement written after there have been entered the claimant's name and the doctor's diagnosis.

6. Subject to rules 7 and 8 below, the diagnosis of the claimant's disorder in respect of which the doctor is advising the claimant to refrain from work or, as the case may be, which has caused the claimant's absence from work shall be specified as precisely as the doctor's knowledge of the claimant's condition at the time of the examination permits.

7. Where, in the doctor's opinion, a disclosure to the claimant of the precise disorder would be prejudicial to his well-being, the diagnosis may be specified less precisely.

8. In the case of an initial examination by a doctor in respect of a disorder stated by the claimant to have caused incapacity for work, where—

(a) there are no clinical signs of that disorder, and

(b) in the doctor's opinion, the claimant need not refrain from work,

instead of specifying a diagnosis “unspecified” may be entered.

9. A doctor's statement must be given on a date not later than one day after the date of the examination on which it is based, and no further doctor's statement based on the same examination

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shall be furnished other than a doctor's statement by way of replacement of an original which has been lost or mislaid, in which case it shall be clearly marked "duplicate".

10. Where, in the doctor's opinion, the claimant will become fit to resume work on a day not later than 2 weeks after the date of the examination on which the doctor's statement is based, the doctor's statement shall specify that day.

11. Subject to rules 12 and 13 below, the doctor's statement shall specify the minimum period during which, in the doctor's opinion, the claimant should, by reason of his disorder, refrain from work.

12. The period specified shall begin on the date of the examination on which the doctor's statement is based and shall not exceed 6 months unless the claimant has, on the advice of a doctor, refrained from work for at least 6 months immediately preceding that date.

Where

- (a) (a) the claimant has, on the advice of a doctor, refrained from work for at least 6 months immediately preceding the date of the examination on which the doctor's statement is based, and
- (b) in the doctor's opinion, it will be necessary for the claimant to refrain from work for the foreseeable future,

instead of specifying a period, the doctor may, having regard to the circumstances of the particular case, enter the words "until further notice".

14. The Notes set out in Part III of this Schedule shall accompany the form of doctor's statement provided by the Secretary of State.

15. A doctor may, having regard to the circumstances of the particular case, indicate on the doctor's statement that the claimant should be considered for vocational rehabilitation.

PART II

FORM OF DOCTOR'S STATEMENT

DOCTOR'S STATEMENT

PART III

THE NOTES

The following notes shall accompany the form of doctor's statement provided by the Secretary of State:—

On the doctor's statement:—

(1) After the words "you should refrain from work for", the period entered must not exceed 6 months unless the patient has, on the advice of a doctor, already refrained from work for a continuous period of 6 months.

(2) After the words "you should refrain from work until"—

- (a) if the patient is being given a date when he can return to work the date entered should not be more than 2 weeks after the date of the examination;

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- (b) if the patient has already been incapable of work for at least 6 months and recovery of capacity for work in the foreseeable future is not expected “further notice” may be entered.

SCHEDULE 2

Regulation 2(3)

PART I

RULES

1. In these rules “claimant” means the woman in respect of whom a certificate is given in accordance with these rules.

2. Certificates of expected confinement or confinement shall be given by a doctor or certified midwife attending the claimant and shall not be given by the claimant.

3. The certificate shall be on a form provided by the Secretary of State for the purpose and the wording shall be that set out in the appropriate form in Part II of this Schedule.

4. Every certificate of expected confinement or confinement shall be completed in ink or other indelible substance and shall contain the following particulars:—

- (a) the claimant's name;
- (b) in the case of a certificate of expected confinement, the week in which it is to be expected that the claimant will be confined and the date of the examination on which the certificate is based;
- (c) 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;
- (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 claimant's name and the expected date or, as the case may be, the date of the confinement.

5. After a certificate has been given, no further certificate based on the same examination shall be furnished other than a certificate by way of replacement of an original which has been lost or mislaid, in which case it shall be clearly marked “duplicate”.

PART II

FORMS OF CERTIFICATE

CERTIFICATE OF EXPECTED CONFINEMENT

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