

Serial Number 1951/89

**THE SOCIAL SECURITY (HOSPITAL BENEFITS) REGULATIONS
1939, AMENDMENT NO. 2**

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington, this 17th day of
April, 1951

Present :

THE RIGHT HON. S. G. HOLLAND PRESIDING IN COUNCIL

PURSUANT to the Social Security Act, 1938, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS

1. These regulations may be cited as the Social Security (Hospital Benefits) Regulations 1939, Amendment No. 2, and shall be read together with and deemed part of the Social Security (Hospital Benefits) Regulations 1939* (hereinafter referred to as the principal regulations).

2. (1) Regulation 4 of the principal regulations (as set out in regulation 2 of the Social Security (Hospital Benefits) Regulations 1939, Amendment No. 1) is hereby amended by adding to subclause (2) the following proviso :—

“ Provided that for the financial year commencing on the 1st day of April, 1951, and for each subsequent financial year the Minister may direct with respect to any specified Hospital Board that, instead of the Board receiving payment for individual treatments calculated in accordance with the foregoing provisions of this subclause, there shall be paid to the Board in respect of hospital treatment afforded by it in that year such sum as the Minister determines, being an amount which in his opinion would be payable for that year in respect of that treatment had the amount been calculated in accordance with the actual number of treatments afforded. Every direction or determination by the Minister under this proviso shall be final.”

(2) Regulation 4 of the principal regulations is hereby further amended by adding the following subclause :—

“ (4) Notwithstanding any direction by the Minister under the proviso to subclause (2) of this regulation, the amounts specified in that subclause shall, for the purposes of section 93 (1) of the Act, be deemed to be the amounts payable to Hospital Boards in respect of hospital treatment afforded by them.”

* Statutory Regulations 1939, Serial number 1939/75, page 303.

Amendment No. 1 : Statutory Regulations 1943, Serial number 1943/98, page 193.

3. (1) Regulation 8 of the principal regulations is hereby amended by adding to subclause (1) the following proviso :—

“ Provided that no such claim need be made in any case where the Minister has directed payment to a Hospital Board of a lump sum under the proviso to subclause (2) of regulation 4 hereof.”

(2) Regulation 8 of the principal regulations is hereby further amended by revoking subclause (2), and substituting the following subclause :—

“ (2) Every such claim shall be forwarded by the claimant to the local Medical Officer of Health.”

(3) Regulation 8 of the principal regulations is hereby further amended by omitting from subclause (5) the words “ For the purpose of enabling claims for payments under these regulations to be verified”.

T. J. SHERRARD,
Clerk of the Executive Council.

EXPLANATORY NOTE

[*This note is not part of the regulations, but is intended to indicate their general effect.*]

The principal regulations provide for Hospital Boards to receive payments out of the Social Security Fund in respect of hospital treatment afforded by them, the amount being calculated according to the number of individual treatments.

The purpose of these regulations is to enable the Minister to direct payment of a lump sum instead of payment in respect of individual treatments.

The amount payable is to be fixed by the Minister having regard to what in his opinion would be payable had the amount been assessed on the basis of the actual number of treatments afforded.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette* : 19th day of April, 1951.

These regulations are administered in the Department of Health.