



OLD AGE PENSIONS AND NATIONAL HEALTH INSURANCE ACT, 1920.

As provided in Section 4 of the Old Age Pensions and National Health Insurance Act, 1920, the Lieutenant-Governor, with the advice and consent of the Old Age Pensions and National Health Insurance Board, has entered into an arrangement with the Imperial Government for reciprocal treatment between the Isle of Man and the United Kingdom with respect to National Health Insurance, and hereby approves the following Regulations made by the National Health Insurance Joint Committee:—

The National Health Insurance Joint Committee hereby certify, under Section 2 of the Rules Publication Act, 1893, that on account of urgency the following Regulations should come into operation immediately, and in pursuance of the powers conferred on them by Section 19 of the National Health Insurance Act, 1920, and of all other powers enabling them in that behalf, hereby make the following Regulations, to come into operation forthwith as Provisional Regulations:—

Whereas by Section 19 of the National Health Insurance Act, 1920, it is enacted that if provision is made by legislative enactment in the Isle of Man for the establishment therein of any scheme of national health insurance, the National Health Insurance Joint Committee, with the consent of the Treasury, may, by regulations, make arrangements for enabling persons insured under the National Insurance Act, 1911, to receive benefits under that Act while resident in the Isle of Man, and for enabling persons insured under the scheme of national health insurance in the Isle of Man to receive benefits under that scheme while resident in the United Kingdom, and that regulations made under that section may direct that the National Insurance (Health) Acts, 1911 to 1919, and the National Health Insurance Act, 1920, shall, in relation to or in connection with any persons affected by any such arrangements as aforesaid, apply, subject to such modifications and adaptations as may be prescribed by the regulations, and may make provision for any necessary financial adjustments;

And whereas the National Health Insurance Joint Committee with the consent of the Treasury, have, in pursuance of the powers conferred on them as aforesaid, agreed with the Governor of the Isle of Man, acting with the advice and consent of the Old Age Pensions and National Health Insurance Board of the Isle of Man, established under the Act of Tynwald entitled the Old Age Pensions and National Health Insurance Act, 1920, to make the arrangements set out in the Schedule to these Regulations:

Now, therefore, the National Health Insurance Joint Committee, in pursuance of the powers hereinbefore recited, and of all other powers enabling them in that behalf, and with the consent of the Treasury, hereby make the following Regulations:—

1. (1) The provisions of the Memorandum of Reciprocal Arrangements set out in the Schedule of these Regulations shall have full force and effect so far as the same relate to the United Kingdom.
- (2) Insurance Committees shall provide Medical Benefit to persons entitled under the said Memorandum of Arrangements to such benefit in the United Kingdom by reason of being or having been insured under the Island Act in like manner as if such persons were entitled to medical benefit in the United Kingdom by reason of being or having been insured under the United Kingdom Acts, and the Regulations relating to the administration of medical benefit shall apply accordingly.
2. (1) These Regulations may be cited as the National Health Insurance (Isle of Man Reciprocal Arrangements) Regulations, 1920, and shall come into operation on the third day of January, 1921.
- (2) Words and expressions in these Regulations shall have the same meaning as in the Memorandum of Arrangements set out in the Schedule to these Regulations.

SCHEDULE.

Memorandum of Reciprocal Arrangements relating to National Health Insurance between the National Health Insurance Joint Committee, with consent of the Treasury on the one part, and the Governor of the Isle of Man with the advice and consent of the Old Age Pensions and National Health Insurance Board of the Isle Man on the other part.

1. (1) In this Memorandum, unless the context otherwise requires—

“United Kingdom Acts” means the National Health Insurance Acts, 1911 to 1920.

“Island Act” means the Act of Tynwald entitled the Old Age Pensions and National Health Insurance Act, 1920.

“Island” means the Isle of Man.

“Joint Committee” means the National Health Insurance Joint Committee.

“Island Commissioners” means the Insurance Commissioners appointed under the Island Act.

“Approved Society” includes a branch of an Approved Society under the United Kingdom Acts.

“Island Society” means the Manx Health Insurance Society established under the Island Act.

“Employment” means employment within the meaning of the United Kingdom Acts or the Island Act as the case may require, and the words “employer” and “employed” shall be construed accordingly.

“Medical Benefit” includes the issue of medical certificates of incapacity for work.

- (2) The Interpretation Act, 1889, applies to the interpretation of this Memorandum as it applies to the interpretation of an Act of Parliament.

2. Subject to the arrangements herein contained, and notwithstanding anything in the United Kingdom Acts or the Island Act, every person who, being entitled to any benefit by reason of being or having been insured under the United Kingdom Acts becomes resident in the Island shall be entitled while resident in the Island to any such benefit (other than sanatorium benefit) as if he had remained in the United Kingdom, and every person who, being entitled to any benefit by reason of being or having been insured under the Island Act, becomes resident in the United Kingdom, shall be entitled while resident in the United Kingdom to any such benefit as if he had remained in the Island, and any such person resident in the Island shall, if insured under the United Kingdom Acts remain insured thereunder, and any such person resident in the United Kingdom shall, if insured under the Island Act, remain insured thereunder.

3. All contributions paid at any time on or after the 5th day of July, 1920, in respect of employment under the Island Act of persons insured under the United Kingdom Acts shall be accounted to the Minister of Health and shall for the purposes of the United Kingdom Acts be treated in all respects as if they were contributions paid by or in respect of such persons under the United Kingdom Acts, and all contributions paid at any time on or after the 5th day of July, 1920, in respect of employment under the United Kingdom Acts of persons insured under the Island Act shall be accounted by the Minister to the Island Commissioners and shall for the purposes of the Island Act be treated in all respects as if they were contributions paid by or in respect of such persons under the Island Act.

4. As respects persons insured under the United Kingdom Acts to whom this Memorandum of Arrangements applies, employment in the Island shall be deemed to be employment within the meaning of the United Kingdom Acts, and as respects persons insured under the Island Act to whom this Memorandum applies, employment in the United Kingdom shall be deemed to be employment within the meaning of the Island Act.

5. A person shall not be or become insured under the Island Act while he remains insured under the United Kingdom Acts, and a person shall not be or become insured under the United Kingdom Acts while he remains insured under the Island Act, provided that nothing herein contained shall prejudice or affect the liability of employers to pay contributions under the United Kingdom Acts or the Island Act as the case may be, in respect of persons employed by them notwithstanding that such persons may, by reason of the terms of this Memorandum of Arrangements, not be insured under the Act or Acts in force in the country of employment.

6. (1) (a) A person insured under the United Kingdom Acts who, being resident in the Island, would, but for the terms of this Memorandum of Arrangements, have become insured under the Island Act may, at any time, apply in writing to the Island Society to become insured under the Island Act, and an Approved Society of which such a person is an insured member may, at any time after he has surrendered to the Society contribution cards for two consecutive

half-years to which are affixed stamps under the Island Act and no stamps under the United Kingdom Acts, by notice in writing require him to become insured under the Island Act and in either of these cases if at the date after-mentioned he is still resident in the Island he shall cease to be insured under the United Kingdom Acts and to be entitled to any benefits by reason of such insurance, and shall become insured under the Island Act as at the first day of the contribution half-year commencing not less than eight weeks after such application is made to the Island Society or such notice is given by the approved Society, as the case may be, and the provisions of Section 14 (1) and Section 21 of the National Health Insurance Act, 1918, shall not apply in any such case.

(b) The Island Society shall, immediately on receipt of such an application as aforesaid, send a copy thereof to the Approved Society of which the insured person is a member, and if he is not a member of an Approved Society, to the Minister of Health, and the Approved Society shall, at the same time as they give notice to the insured member as aforesaid, send a copy of such notice to the Island Society.

(2) (a) A person insured under the Island Act who, being resident in the United Kingdom, would but for the terms of this Memorandum of Arrangements have become insured under the United Kingdom Acts may, at any time, apply in writing to the Minister of Health or to an Approved Society to become insured under the United Kingdom Acts, and the Island Society may, at any time after he has surrendered to the Society contribution cards for two consecutive half years to which are affixed stamps under the United Kingdom Acts and no stamps under the Island Act, by notice in writing, require him to become insured under the United Kingdom Acts, unless within eight weeks he proves to the satisfaction of the Minister that he has been unable to obtain admission to an Approved Society on account of the state of his health, and in either of these cases if at the date aftermentioned he is still resident in the United Kingdom, he shall cease to be insured under the Island Act and to be entitled to any benefits by reason of such insurance, and shall become insured under the United Kingdom Acts as on the first day of the contribution half-year commencing not less than eight weeks after such application is made to the Minister or to the Approved Society or such notice is given by the Island Society as the case may be; provided that (a) where notice is given by the Island Society the person shall not cease to be insured as aforesaid if he satisfies the Minister within the aforesaid period of eight weeks that he has been unable to obtain admission to an Approved Society on account of the state of his health, and (b) nothing herein contained shall apply to a person who being insured under the Island Act is serving as a seaman, marine, soldier, or airman.

(b) The Minister or the Approved Society, as the case may be, shall, on receipt of any such application as aforesaid, forthwith send a copy thereof to the Island Society, and the Island Society shall on giving any such notice as aforesaid, forthwith send a copy of such notice to the Minister.

(3) For the purpose of the benefits to which any person to whom this Article applies shall be entitled after ceasing to be insured under the United Kingdom Acts or the Island Act and becoming insured under the Island Act or the United Kingdom Acts as the case may be, he shall be deemed to have been in insurance since the commencement of the insurance so ceasing, notwithstanding that such commencement may have been before the commencement of the Island Act.

7. On any person so ceasing to be insured under the United Kingdom Acts and becoming insured under the Island Act or ceasing to be insured under the Island Act and becoming insured under the United Kingdom Acts, there shall be such financial adjustments between the appropriate National Health Insurance Fund and the Island Society as the Joint Committee and the Island Commissioners may determine.

8. The Island Society shall make arrangements to the satisfaction of the Minister of Health for the provision of medical benefit in the Island to all persons entitled to medical benefit by reason of being or having been insured under the United Kingdom Acts, and to all persons employed in the Island and insured under the United Kingdom Acts, but not entitled to medical benefit by reason of the provisions of Section 81 of the National Insurance Act, 1911, and the Minister of Health shall make arrangements whereby persons entitled to medical benefit by reason of being or having been insured under the Island Act shall be provided with medical benefit in the United Kingdom.

9. (1) Such financial adjustments shall be made as the Minister of Health and the Island Commissioners may determine in respect of the cost of medical benefit provided to persons entitled under this Memorandum to such benefit in the Island by reason of being or having been insured under the United Kingdom Acts, and to persons entitled under this Memorandum to such benefit in the United Kingdom by reason of being or having been insured under the Island Act, and in determining the adjustments to be so made, regard shall be had to the sums payable to medical practitioners in the United Kingdom in respect of Medical Benefit.

(2) Any sums payable or received by the Minister of Health in respect of the financial adjustments under the immediately preceding paragraph shall be charged or credited as the case may be to the several Funds established under his control, in accordance with the Regulations relating to the administration of medical benefit in such proportions as he may determine.

(3) The Irish Insurance Commissioners shall account and pay to the Island Commissioners for the Island Society out of each contribution under the Island Act paid into the Irish National Health Insurance Fund, the sum of twopence on account of the cost of medical benefit in the Island of persons in respect of whom such contributions have been paid.

10. (1) For the purpose of payment of contributions, Paragraph (b) of Part 1 of the First Schedule to the National Health Insurance Act, 1911, shall not apply to employment on a ship or vessel of which the owner, or, if there is more than one owner, the managing owner or manager has his principal place of business in the Island, notwithstanding that such ship may be registered in the United Kingdom, or the owner, managing owner or manager may be resident in the United Kingdom; and Paragraph (b) of Part 1 of the Second Schedule to the Island Act shall not apply to employment on a ship or vessel of which the owner, or if there is more than one owner, the managing owner or manager has his principal place of business in the United Kingdom, notwithstanding that such ship may be registered in the Island, or the owner, managing owner or manager may be resident in the Island.

(2) For the purposes of Section 48 (3) of the National Insurance Act, 1911, a master seaman or apprentice who is domiciled or has a place of residence in the Island shall be deemed to be domiciled or to have a place of residence in the United Kingdom, and for the purposes of Section 57 (3) of the Island Act, a master seaman or apprentice who is domiciled or has a place of residence in the United Kingdom shall be deemed to be domiciled or to have a place of residence in the Island.

11. (1) Persons who being seamen, marines, soldiers, or airmen are insured under the Island Act shall be entitled to the like benefits and privileges and be subject to the like conditions as are applicable under the provisions of the United Kingdom Acts, in the case of persons who being seamen, marines, soldiers, or airmen, are members of an Approved Society.

(2) In the application of the Island Act to persons insured thereunder to or as respects whom, if insured under the United Kingdom Acts, the provisions of Sections 1 or 2 of the National Insurance (Part 1. Amendment) Act, 1915, or Sections 1, 2 or 3 of the National Insurance (Part 1. Amendment) Act, 1917, or the Regulations made under Section 13 of the National Health Insurance Act, 1920, would apply, the Island Act shall have effect as if the provisions of the said Sections and Regulations were incorporated therein.

12. A person who, under this Memorandum of Arrangements, ceases to be insured under the United Kingdom Acts and becomes insured under the Island Act or ceases to be insured under the Island Act and becomes insured under the United Kingdom Acts shall, during the remainder of the benefit year current at the time of so ceasing be subject to the same reduction or suspension of benefits in respect of arrears as he would have been had he remained insured under the United Kingdom Acts or the Island Act as the case may be.

13. The provisions of paragraph (g) of Section 42 of the National Insurance Act, 1911, shall not apply in the case of a deposit contributor who, having permanently ceased to reside in the United Kingdom, resides in the Island.

14. Nothing in these Regulations shall be deemed to authorise a voluntary contributor under the United Kingdom Acts to pay contributions in respect of any period during which he may be resident in the Island.

15. (1) In the application of this Memorandum to Scotland, the Scottish Board of Health shall be substituted for the Minister of Health.

(2) In the application of this Memorandum to Ireland the Irish Insurance Commissioners shall be substituted for the Minister of Health, and nothing herein contained shall entitle a person to medical benefit while in Ireland.

Signed by the Lieutenant-Governor at Government Office, Isle of Man, this 19th day of January, 1921.

W. FRY, M.G.,

Lieutenant-Governor.

The advice and consent of the Old Age Pensions and National Health Insurance Board is hereby given to the above agreement. This 22nd day of January, 1921.

RAMSEY B. MOORE, Chairman.
JNO. W. KING, Secretary.



Laid before Tynwald at a Sitting held in Douglas on Tuesday, the 1st February, 1921.

Government Office,
Isle of Man,
26th January, 1921.