

1964/17



**THE SOCIAL SECURITY (HOSPITAL BENEFITS)
REGULATIONS 1964**

BERNARD FERGUSSON, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 17th day of February
1964

Present:

THE HON. J. R. MARSHALL, 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, hereby makes the following regulations.

REGULATIONS

1. (1) These regulations may be cited as the Social Security (Hospital Benefits) Regulations 1964.

(2) These regulations shall come into force on the 1st day of April 1964.

2. In these regulations, unless the context otherwise requires,—

“Approved institution” means an institution or place (not being an institution within the meaning of the Hospitals Act 1957 or a private hospital as herein defined) which is recognised and approved by the Minister, in accordance with these regulations, as a hospital for the purposes of Part I of the Social Security Amendment Act 1963:

“Day” means a period of 24 hours ending at midnight:

“Department” means the Department of Health:

“Maternity patient” means a woman who is a patient in a licensed maternity hospital:

“Minister” means the Minister of Health:

“Private hospital” means a private hospital licensed under Part V of the Hospitals Act 1957:

“Surgical patient” means a patient undergoing, as part of his hospital treatment in a private hospital or part of a private hospital (not being licensed as a maternity hospital), any surgical procedure of a nature requiring the use of a properly equipped operating theatre or receiving hospital treatment in such a hospital on the day preceding such a procedure or as a direct consequence of such a procedure.

3. (1) In respect of hospital treatment afforded in any private hospital, there shall be payable by the Department—

(a) For hospital treatment afforded to a surgical patient—

(i) Where treatment has been afforded on not more than two days, the sum of £4:

(ii) Where treatment has been afforded on more than two days, the sum of £2 for every day on which treatment has been afforded:

(b) For hospital treatment afforded to a maternity patient, but subject to section 20 of the Social Security Amendment Act 1963, the sum of £2 for every day on which treatment has been afforded:

(c) For hospital treatment afforded to any other patient, the sum of £1 8s. for every day on which treatment has been afforded:

Provided that for the purposes of this subclause the day of admission to hospital and the day of discharge from hospital shall together be counted as one day:

Provided further that, in the case of a patient who was a surgical patient on one of those days but not on the other, the sum payable for the two days together counted as one day shall be £1 14s.

(2) Notwithstanding anything in subclause (1) of this regulation, the Minister may approve of the payment of a sum calculated in accordance with paragraph (b) instead of paragraph (c) of that subclause, in relation to such period as he may specify, in respect of any woman who has received maternity benefits in a private hospital or part of a private hospital (not being licensed as a maternity hospital) pursuant to the Social Security (Supplementary Maternity Benefits) Regulations 1939* or the Social Security (Supplementary Maternity Benefits) Regulations 1940†.

4. In respect of hospital treatment afforded in any approved institution there shall be payable by the Department such amount as the Minister from time to time, upon or subject to such conditions as he thinks fit, authorises, being either—

(a) An amount in respect of each individual patient receiving hospital treatment, not exceeding the amount that would be payable in respect of that treatment if it had been afforded in a private hospital; or

(b) A commuted sum or grant instead of payments in respect of individual patients.

5. Notwithstanding anything in the foregoing provisions of these regulations, payment in respect of any hospital treatment afforded in any private hospital may be withheld unless the Minister is satisfied that the amount payable by the Department will be accepted in reduction, to the extent thereof, of the charges that would otherwise be payable in respect of that treatment by the patient or any other person.

6. (1) Claims for payment under these regulations shall be made monthly, and every such claim shall relate to the period of one month ending on the last day of the month preceding the date of the making of the claim:

*S.R. 1939/93

†S.R. 1940/81

Provided that no such claim need be made in any case where the Minister has authorised the payment to the controlling authority of an approved institution of a commuted sum or grant in accordance with paragraph (b) of regulation 4 hereof.

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

(3) Every such claim shall be supported by such certificates or declarations and by such other documents, if any, as may be required in proof of the facts upon which the claim is based.

(4) All such certificates and declarations shall be given or made on forms to be provided for the purpose by or by direction of the Minister.

7. (1) Application for the approval by the Minister for the purposes of these regulations of any institution or place in which sick or injured persons are received for treatment (not being an institution within the meaning of the Hospitals Act 1957 or a private hospital) may be made in writing by the controlling authority of the institution or place addressed to the Director-General of Health at Wellington.

(2) The approval by the Minister of any such institution or place may be given subject to such conditions, if any, as he thinks fit, and may be at any time revoked by notice in writing given to the controlling authority under the hand of the Minister.

8. The regulations specified in the Schedule hereto are hereby revoked.

SCHEDULE

Reg. 8

REGULATIONS REVOKED

Title	Serial Number
The Social Security (Hospital Benefits) Regulations 1954	1954/157
The Social Security (Hospital Benefits) Regulations 1954, Amendment No. 3	1961/44
The Social Security (Hospital Benefits) Regulations 1954, Amendment No. 4	1963/41
The Social Security (Hospital Benefits) Regulations 1954, Amendment No. 5	1963/168

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.

Part I of the Social Security Amendment Act 1963, which comes into force on 1 April 1964, provides that treatment in public hospitals shall be free to persons entitled to hospital benefits. In future such treatment will be financed out of grants, and no payments will be made to Hospital Boards by way of benefit.

These regulations replace the Social Security (Hospital Benefits) Regulations 1954 and the amendments of those regulations. They omit the previous provisions applicable to Hospital Boards and other provisions now appearing in Part I of the 1963 Amendment Act, and are consequential on the provisions of that Part.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 20 February 1964.

These regulations are administered in the Department of Health.