

**1956/166**

## THE SURGICAL FOOTWEAR NOTICE 1956

PURSUANT to the Social Security (Hospital Benefits for Outpatients) Regulations 1947, the Minister of Health hereby gives the following notice.

### NOTICE

1. This notice may be cited as the Surgical Footwear Notice 1956.

2. For the purposes of the Social Security (Hospital Benefits for Outpatients) Regulations 1947,\* surgical boots and surgical shoes are hereby prescribed as artificial aids that may be supplied or repaired for outpatients of public hospitals.

3. In respect of the supply of any artificial aid prescribed by clause 2 of this notice, the following conditions are hereby imposed:

- (a) That the artificial aid is recommended for the patient by an orthopaedic surgeon employed or engaged by the Hospital Board; and
- (b) That the artificial aid is of a type approved by the Hospital Board; and
- (c) That the patient is not entitled to obtain the artificial aid under the provisions of the War Pensions Regulations 1956†, or otherwise than under the Social Security (Hospital Benefits for Outpatients) Regulations 1947; and
- (d) That the patient is not already in possession of a similar artificial aid obtained under the provisions of the Social Security (Hospital Benefits for Outpatients) Regulations 1947 or of the War Pensions Regulations 1956 that is, in the opinion of an orthopaedic surgeon employed or engaged by the Hospital Board, still satisfactory and serviceable or capable of satisfactory repair; and
- (e) That a sum that equals half the cost of any artificial aid but does not in any case exceed £2 10s. shall be recoverable from the person to whom it is supplied:

Provided that paragraph (d) of this clause shall not apply in the case of an artificial aid to be supplied as a duplicate to a patient on the recommendation of such an orthopaedic surgeon as aforesaid on the ground that the patient has a disability that is permanent or will be of sufficient duration to justify the supply of the duplicate.

4. (1) For the purposes of this clause, the term "repair" means all necessary attention to place in serviceable condition, and includes rebuilding or remodelling.

\*S.R. 1947/68

†S.R. 1956/7

(2) In respect of the repair of any artificial aid prescribed by clause 2 of this notice, the following conditions are hereby imposed:

- (a) That the repair is recommended by an orthopaedic surgeon employed or engaged by the Hospital Board; and
- (b) That the artificial aid to be repaired is of a type approved by the Hospital Board; and
- (c) That the artificial aid to be repaired can, in the opinion of the repairer's orthopaedic adviser, be satisfactorily repaired; and
- (d) That where repair involves rebuilding or remodelling the result would, in the opinion of the recommending orthopaedic surgeon, be satisfactory; and
- (e) That the patient is not entitled to have the artificial aid repaired under the provisions of the War Pensions Regulations 1956, or otherwise than under the Social Security (Hospital Benefits for Outpatients) Regulations 1947; and
- (f) That half the cost of repair will be recoverable from the patient; and
- (g) That the need for repair to the artificial aid arises through fair wear and tear or other cause not attributable to the fault of the patient.

5. (1) The Hospital Outpatients Surgical Footwear Notice 1951\* and the Hospital Outpatients Surgical Footwear Notice 1951, Amendment No. 1†, are hereby revoked.

(2) Without limiting the provisions of the Acts Interpretation Act 1924, it is hereby declared that the revocation of the said notices shall not affect any document made or any thing whatsoever done thereunder, and every such document or thing, so far as it is subsisting or in force at the time of the revocation and could have been made or done under this notice, shall continue and have effect as if it had been made or done under the corresponding provision of this notice and as if that provision had been in force when the document was made or the thing was done.

Dated at Wellington this 1st day of October 1956.

J. R. HANAN,  
Minister of Health.

\**Gazette*, 6 December 1951, Vol. III, p. 1790  
†S.R. 1953/78

#### EXPLANATORY NOTE

*This note is not part of the notice, but is intended to indicate its general effect.*

This notice replaces, with one new provision, the Hospital Outpatients' Surgical Footwear Notice 1951 and the existing amendment to that notice, under which surgical boots or surgical shoes may be supplied or repaired for outpatients of public hospitals subject to the conditions prescribed in the notice.

The effect of the new provision in this notice is that any outpatient who has or obtains a pair of surgical boots or surgical shoes under the notice may also obtain a second pair if he has a permanent disability or one of sufficient duration to justify the supply of a second pair. Formerly this provision applied only to children under the age of sixteen years.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 18 October 1956.

These regulations are administered in the Department of Health.