

**1963/41**

**THE SOCIAL SECURITY (HOSPITAL BENEFITS)  
REGULATIONS 1954, AMENDMENT NO. 4**

BERNARD FERGUSSON, Governor-General

**ORDER IN COUNCIL**

At the Government Buildings at Wellington this 25th day of March 1963

Present:

THE RIGHT HON. KEITH HOLYOAKE, C.H., 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. These regulations may be cited as the Social Security (Hospital Benefits) Regulations 1954, Amendment No. 4, and shall be read together with and deemed part of the Social Security (Hospital Benefits) Regulations 1954\* (hereinafter referred to as the principal regulations).

2. (1) Regulation 2 of the principal regulations is hereby amended by omitting from the definition of the term "Class A hospital" in subclause (1) and also from the definition of the term "Class B hospital" in the same subclause the words "or private hospital" wherever they occur.

(2) Regulation 2 of the principal regulations is hereby further amended by inserting in subclause (1), in their appropriate alphabetical order, the following definitions:

"'Maternity patient' means a woman who is a patient in a licensed maternity hospital:

"'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."

\*S.R. 1954/157

Amendment No. 1: (*Revoked by S.R. 1961/26*)

Amendment No. 2: (*Revoked by S.R. 1961/44*)

Amendment No. 3: S.R. 1961/44

(3) Regulation 2 of the principal regulations is hereby further amended by omitting from subclause (2) the words "or private".

3. Regulation 4 of the principal regulations is hereby amended by omitting from subclause (1) (as substituted by regulation 2 (1) of the Social Security (Hospital Benefits) Regulations, Amendment No. 3) the words "or private hospital".

4. The principal regulations are hereby further amended by inserting, after regulation 4, the following regulation:

"4A. (1) In respect of hospital treatment afforded in any private hospital, there shall be payable out of the Social Security Fund—

"(a) For hospital treatment afforded to a surgical patient, 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 the provisions of regulation 10 of these regulations, 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†."

5. Regulation 5 of the principal regulations is hereby amended by omitting from paragraph (a) the words "public hospital", and substituting the words "private hospital".

6. Regulation 10 of the principal regulations is hereby amended—  
(a) By inserting, after the words "Social Security (Maternity Benefits) Regulations 1939", the words "or the Social Security (Supplementary Maternity Benefits) Regulations 1939 or the Social Security (Supplementary Maternity Benefits) Regulations 1940":

(b) By omitting the words "private maternity hospital", and substituting the words "private hospital".

7. (1) These regulations shall apply in every case where hospital benefits are afforded on or after the 1st day of April 1963.

(2) In all other cases the principal regulations shall apply as if these regulations had not been made.

\*S.R. 1939/93

†S.R. 1940/81

(3) In the case of a patient admitted to hospital before the 1st day of April 1963 and discharged on or after that date, the sum payable pursuant to the first and second provisos to regulation 4A (1) of the principal regulations (as inserted by regulation 4 of these regulations) shall be calculated subject to the provisions of subclauses (1) and (2) of this regulation, and the amount payable pursuant to the said second proviso shall be reduced accordingly.

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

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EXPLANATORY NOTE

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

The principal regulations provide for fees to be paid in respect of the treatment of inpatients in public and private hospitals.

These regulations provide that payments to private hospitals shall be calculated according to the nature of the treatment given, instead of according to the existing classification of Class A and Class B hospitals, and increase the fees payable in respect of treatment in private hospitals, with effect from 1 April 1963.

Regulation 5 enables benefits to be paid to approved institutions on the same basis.

Regulation 6 corrects an oversight in the principal regulations.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 28 March 1963.

These regulations are administered in the Department of Health.