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Claimant for attendance allowance had not made due enquiry as to the steps to be taken to claim benefit. Claim disallowed.

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1. My decision is that from and including 29th September to 6th October, 1948, the claimant is disqualified for receiving attendance allowance.

2. It is admitted that the claim was not made within the prescribed time, but the majority of the Local Tribunal decided that there was "good cause" for the delay. A Note to their decision is in the following terms :—

"The difficulty here is that claimant gave birth to a child after 10 years. It is more difficult than in a case where there were regular births over a period of years".

3. I fail to appreciate how the fact referred to in the Note induced the majority of the members of the Tribunal to allow the claim or why it was regarded by them as good cause for failure to comply with the regulations. In the record of the evidence given by the claimant's husband it is stated that before the birth they had discussed the matter of a claim for attendance allowance and relied on information given by a neighbour to the effect that a claim within 10 days was not necessary. On this evidence and the whole information before the Tribunal it is clear that the only reason for the delay was that the claimant and her husband had not made due enquiry as to the

steps which had to be taken in such cases in order to obtain the benefits provided under the Act. In a number of Commissioner's decisions in similar cases it has been emphasised that ignorance of the regulations is never in itself "good cause" for failure to comply with them and that insured persons have a duty to inform themselves with regard to them, for example by enquiry at the local office of the Ministry of National Insurance. The Chairman of the Tribunal, who very properly dissented from the decision of the majority, has noted that two Commissioner's decisions on the question C.W.G. 2/49 and C.S.G. 6/48 were brought to the notice of the Tribunal. In view of those decisions and the reasons given in them and the fact that apparently the members who allowed the claim disregarded them, I think it right to emphasise the fact that Commissioner's decisions are reported for the guidance of Insurance Officers and Local Tribunals as authorities *to be followed by them* when they have to deal with similar cases coming before them.

4. I allow the appeal.

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