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A claimant showed his final medical certificate to his employers, addressed it to the National Insurance Office and put it in his office "out" basket for posting. The clerk responsible failed to post it because it got underneath other papers. The claimant made no inquiries for 10 days.

*Held* on the facts that good cause for delay was established.

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1. My decision is that the claimant was not disqualified for receiving sickness benefit from the 11th to the 15th March, 1952, both dates included.

2. The claimant was incapable of work from the 29th February, 1952, to the 15th March, 1952, both dates included. He duly claimed sickness benefit up to and including the 10th March, 1952, but no further claim was received from him by the local National Insurance Office until the 28th March, 1952. This was posted on the 27th March, 1952, and the claimant's explanation of the delay is that he had shown the form containing the final medical certificate on which the claim was made to his employers at the time that it was given to him by his doctor on the 15th March, 1952, and had then put it, addressed to the local National Insurance Office, into the out basket in his office on the 17th March, 1952, in order that it should be posted, but that a junior clerk responsible to posting it had failed to do so because it had unfortunately got under a post office "Air Mail" instruction pamphlet which he normally kept at the bottom of the basket.

3. On the 26th March, 1952 an official at the local National Insurance Office had sent a reminder to the claimant that no further evidence of incapacity since the 10th March, 1952 had been received. The claimant says, however, that on inquiry he ascertained that the clerk had already posted the claim referred to above which he had found. He says that he did not receive

the reminder until he got home on the evening of the 27th March, 1952 and since the reminder was presumably sent to his home (as other communications to him were sent), and not to his office, I see no reason for doubting the truth of this story. Indeed, I do not think that the Insurance Officer now concerned with this case is inviting me to doubt it.

4. The point, however, made by the Insurance Officer is that, although it may have been reasonable for the claimant to leave the actual posting of the letter containing the final medical certificate and claim for benefit to the posting clerk at his office by putting the letter in his out basket, it was not reasonable, in his submission, for the claimant to leave until the 27th March, 1952 the taking of any further action, inasmuch as he had not received the benefit due to him.

5. Though no doubt it is true that a claimant does not relieve himself of personal responsibility for claiming within the prescribed time by delegating to another the posting of the claim and washing his hands of the matter, the question to be considered in determining whether the claimant has proved good cause for his delay is the reasonableness of his conduct. The posting of office correspondence is normally so automatic that I cannot but feel that the claimant acted in the manner in which a reasonable man would have acted when he put the relevant letter in his out basket. If this is once conceded, the period of 10 days or thereabouts from the date when he believed that his claim had been posted which elapsed before the 27th March, 1952 was not, in my opinion, such a long period as to arouse his suspicions that the letter had not been duly received by the office to which it was addressed. I see no sufficient reason for disagreeing with the Local Tribunal.

6. The claimant asked for an oral hearing of this appeal, but, as I am deciding it in his favour, no useful purpose would be served by requiring his attendance at a hearing.

7. I must dismiss the Insurance Officer's appeal.

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