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Claimant was a member of a religious order who had withdrawn herself from ordinary human affairs. The Prioress of the Convent made a claim on her behalf which was late, due to lack of liaison in the Convent.

*Held* that claimant was in the same position as a person who is unable to act for herself. Claim disallowed.

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1. My decision is that from the 29th November, 1949, to the 8th May, 1950, both days included, the claimant was disqualified for receiving sickness benefit.

2. The claimant is a member of a religious order. It appears that she became incapable of work on the 21st November, 1949. The Prioress of the convent of which the claimant was a member made a claim for sickness benefit on behalf of the claimant for the period from the 21st November, 1949, to the 28th November, 1949, both days included. This claim was made on the 6th December, 1949, and was allowed. No further claim was made until the 16th August, 1950, when a further claim in respect of the period from the 29th November, 1949, to the 8th May, 1950, both days included, was posted to the local National Insurance Office. This claim was also made by the Prioress. The fact that this claim was made so late was due to the claimant's being on the staff of a school run by the convent, and owing to a lack of liaison between the convent and the school it was apparently assumed that the school correspondent who dealt with the insurance cards of the staff had made the claim.

3. The claimant herself, it appears, had no dealings with her medical certificates, the Prioress not having considered it advisable for her to handle them. The claims and the grounds of appeal were signed in the claimant's

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name, but not by her. She lives in complete seclusion and was ignorant of the fact that a claim should be made within a certain period. It appears that it is the practice of the convent that personal matters concerning members of the Order are left till the end of the school year, in other words, until August.

4. It seems quite clear that the claimant had no thought herself of initiating any action in relation to her rights to benefit under the National Insurance Act, 1946, or of making inquiries as to what rights she had or what she had to do to obtain them. She left the matter wholly to her superior authorities.

5. There are no regulations making special provision for such exceptional cases, and it seems to me that where a person withdraws herself, as the claimant has done, from ordinary human affairs she must be regarded as having authorised the person or persons who normally conduct on her behalf any necessary contacts with the outside world to act on her behalf, and as having accepted responsibility for their failure to act or their erroneous action, if such should occur. She is in the same position as a person who has an agent appointed to exercise on her behalf any right to which she may be entitled, because she is unable to act for herself. In such cases, it is the agent who has to show, in the case of a late claim for benefit, that there was good cause for the agent's failure to make the claim before the date on which the claim in fact was made. (Compare Decision C.W.G. 6/50 (reported).)

6. So far as the authorities at the convent are concerned, it is clear that the appropriate authority (whether the Prioress or the school correspondent) has not proved good cause for failure to claim before the 16th August, 1950, sickness benefit on behalf of the claimant in respect of the period from the 29th November, 1949, to the 8th May, 1950, both days included. The delay was merely due to lack of liaison in the convent. It follows that the claimant has to be disqualified, as stated at the head of this decision.

7. I must dismiss the claimant's appeal.

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