

2002 No. 237

SOCIAL SECURITY

The Social Security (Industrial Injuries) (Prescribed Diseases) (Amendment) Regulations (Northern Ireland) 2002

Made - - - - - *4th July 2002*

Coming into operation *29th July 2002*

The Department for Social Development, in exercise of the powers conferred by sections 109(2) and 171(1) and (4) of, and paragraph 1(d) of Schedule 6 to, the Social Security Contributions and Benefits (Northern Ireland) Act 1992(a), and now vested in it(b), and of all other powers enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Social Security (Industrial Injuries) (Prescribed Diseases) (Amendment) Regulations (Northern Ireland) 2002 and shall come into operation on 29th July 2002.

Amendment of the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations (Northern Ireland) 1986

2.—(1) The Social Security (Industrial Injuries) (Prescribed Diseases) Regulations (Northern Ireland) 1986(c) shall be amended in accordance with paragraphs (2) and (3) of this regulation.

(2) In regulation 18 (special conditions for disablement benefit for pneumoconiosis, byssinosis and diffuse mesothelioma) for “, byssinosis or diffuse mesothelioma”, in the heading and in each place where it occurs, there shall be substituted “or byssinosis”.

(3) After regulation 18 there shall be inserted the following regulation –

“Diffuse mesothelioma - prescribed loss of faculty

18A.—(1) For the purposes of paragraph 1 of Schedule 6 to the Contributions and Benefits Act (which provides for the assessment of the extent of disablement for the purposes of industrial injuries disablement benefit), the loss of faculty set out in paragraph (2) is prescribed under sub-paragraph (d) of that paragraph 1 (loss of faculty from which the resulting disabilities are to be taken as amounting to 100 per cent. disablement).

(a) 1992 c. 7; section 109(2) was amended by paragraph 47 of Schedule 6 to the Social Security (Northern Ireland) Order 1998 (S.I. 1998/1506 (N.I. 10)) and paragraph 1 of Schedule 6 was amended by Part IV of Schedule 10 to the Welfare Reform and Pensions (Northern Ireland) Order 1999 (S.I. 1999/3147 (N.I. 11))

(b) See Article 8(b) of S.R. 1999 No. 481

(c) S.R. 1986 No. 179; relevant amending rules are S.R. 1986 No. 340, S.R. 1997 No. 158 and S.R. 1999 No. 310 (C. 23)

(2) The loss of faculty referred to in paragraph (1) is impaired function of the pleura, pericardium or peritoneum caused by diffuse mesothelioma.”

Sealed with the Official Seal of the Department for Social Development on 4th July 2002.

(L.S.)

John O'Neill

Senior Officer of the Department for Social Development

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations (Northern Ireland) 1986.

Regulation 2 amends regulation 18 to remove the provision for assessing, for the purposes of industrial injuries benefit, the extent of disablement arising from diffuse mesothelioma and to prescribe impaired function of the pleura, pericardium or peritoneum caused by diffuse mesothelioma as a loss of faculty from which the resulting disabilities are to be taken as amounting to 100 per cent. disablement.

These Regulations make in relation to Northern Ireland only provision corresponding to provision contained in Regulations made by the Secretary of State for Work and Pensions in relation to Great Britain and accordingly, by virtue of section 149(3) of, and paragraph 7 of Schedule 5A to, the Social Security Administration (Northern Ireland) Act 1992 (c. 8), are not subject to the requirement of section 149(2A) of that Act for prior reference to the Industrial Injuries Advisory Council.

These Regulations do not impose a charge on business.

£1.75

Published by The Stationery Office Limited

ISBN 0-337-94308-7



Printed in the UK by The
Stationery Office Limited
under the authority and
superintendence of Carol
Tullo, Controller of
Her Majesty's Stationery
Office being the Government
Printer for Northern Ireland and
the Officer appointed to print the
Acts of the Northern Ireland Assembly
Dd. N583. C3. 7/02. Gp. 130. 14567.