

2007 No. 167

SOCIAL SECURITY

**The Social Security (Industrial Injuries) (Prescribed Diseases)
(Amendment) Regulations (Northern Ireland) 2007**

Made - - - - *14th March 2007*

Coming into operation - *6th April 2007*

The Department for Social Development makes the following Regulations in exercise of the powers conferred by sections 108(2) and 171(1) to (4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(a) and now vested in it(b).

It is satisfied of the matters referred to in section 108(2)(a) and (b) of that Act.

Citation and commencement

1. These Regulations may be cited as the Social Security (Industrial Injuries) (Prescribed Diseases) (Amendment) Regulations (Northern Ireland) 2007 and shall come into operation on 6th April 2007.

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

2.—(1) Part I of Schedule 1 to the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations (Northern Ireland) 1986(c) (list of prescribed diseases and the occupations for which they are prescribed) is amended in accordance with paragraphs (2) to (8).

(2) For the first column of the entry relating to prescribed disease A4 substitute—

“A4. Task-specific focal dystonia.”

(3) In the first column of the entry relating to prescribed disease A5 omit “(beat hand)”.

(4) In the first column of the entry relating to prescribed disease A6 omit “(beat knee)”.

(5) In the first column of the entry relating to prescribed disease A7 omit “(beat elbow)”.

(6) Omit the entry relating to prescribed disease A9.

(7) For the second column of the entry relating to prescribed disease A12(d) substitute—

“(a) The use, at the time the symptoms first develop, of hand-held powered tools whose internal parts vibrate so as to transmit that vibration to the hand, but excluding those tools which are solely powered by hand; or

(a) 1992 c. 7; section 171(1) and (2) was amended by paragraph 5 of Schedule 4 to the Tax Credits Act 2002 (c. 21) and paragraph 28 of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999 (S.I. 1999/671) respectively

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

(c) S.R. 1986 No. 179; relevant amending regulations are S.R. 1993 No. 148 and S.R. 1996 No. 57

(d) Prescribed disease A12 was inserted by regulation 6(2) of S.R. 1993 No. 148 and amended by regulation 3(3) of S.R. 1996 No. 57

- (b) repeated palmar flexion and dorsiflexion of the wrist for at least 20 hours per week for a period or periods amounting in aggregate to at least 12 months in the 24 months prior to the onset of symptoms, where “repeated” means once or more often in every 30 seconds.”.

(8) In the second column of the entry relating to prescribed disease B6 after sub-paragraph (d) add—

- “or
- (e) work involving exposure to metalworking fluid mists.”.

Transitional provision

3. Regulation 2 shall not apply to a period of assessment which relates to a claim made before the date on which these Regulations come into operation.

Revocation

4. Regulation 3(3)(b) of the Social Security (Industrial Injuries and Diseases) (Miscellaneous Amendments) Regulations (Northern Ireland) 1996(a) is revoked.

Sealed with the Official Seal of the Department for Social Development on 14th March 2007

(L.S.)

John O'Neill

A senior officer of the Department for Social Development

(a) S.R. 1996 No. 57

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend Part I of Schedule 1 to the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations (Northern Ireland) 1986, which prescribes diseases for which industrial injuries benefit is payable.

Regulation 2(2) amends prescribed disease A4 by replacing “Cramp of the hand or forearm due to repetitive movements” with “Task-specific focal dystonia”.

Regulation 2(3), (4) and (5) amends prescribed diseases A5, A6 and A7 by omitting the references to “beat hand”, “beat knee” and “beat elbow”. These terms are historical descriptions and are not widely used in modern clinical practice.

Regulation 2(6) omits prescribed disease A9, as miner’s nystagmus was a condition caused by poor lighting in mines and no longer occurs.

Regulation 2(7) amends prescribed disease A12 to reflect that symptoms are expected to begin in the job in which hand-held powered tools are used, and to extend the terms of prescription on the basis of activity in the job.

Regulation 2(8) amends prescribed disease B6 by extending the occupations to include work involving exposure to metalworking fluid mists.

Regulation 3 makes transitional provision so that the amendments made to Schedule 1 by regulation 2 do not apply to claims made before these Regulations come into operation.

Regulation 4 makes a consequential revocation.

These Regulations correspond 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.