

2019 No. 204

SOCIAL SECURITY

**The Social Security (Industrial Injuries) (Prescribed Diseases)
(Amendment) Regulations (Northern Ireland) 2019**

Made - - - - - *21st October 2019*

Coming into operation - *9th December 2019*

The Department for Communities makes the following Regulations in exercise of the powers conferred by sections 108(1) and (2), 109(2) and (3)(a) and 171(1) and (3) to (5) 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) of that Act.

Citation and commencement

1. These Regulations may be cited as the Social Security (Industrial Injuries) (Prescribed Diseases) (Amendment) Regulations (Northern Ireland) 2019 and shall come into operation on 9th December 2019.

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

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

(2) In regulation 4(2)(d) (presumption that a disease is due to the nature of employment) after “A14,” insert “A15,”.

(3) In Part 1 of Schedule 1 (list of prescribed diseases and the occupations for which they are prescribed) after the entry for prescribed disease A14(e) add—

“A15. Dupuytren’s contracture of the hand resulting in fixed flexion deformity of one or more interphalangeal joints of one or more of the digits.	Any occupation involving the use 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) where—
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(a) 1992 c. 7; section 108(1) was amended by Article 70(1)(c) of the Welfare Reform (Northern Ireland) Order 2015 (S.I. 2015/2006 (N.I. 1)), 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 section 171(1) was amended by paragraph 5 of Schedule 4 to the Tax Credits Act 2002 (c. 21)

(b) See Article 8(b) of S.R. 1999 No. 481 and section 1(7) of the Departments Act (Northern Ireland) 2016 (c.5 (N.I.))

(c) S.R. 1986 No. 179; relevant amending Regulations are S.R. 2009 No. 228, S.R. 2012 No. 100, S.R. 2015 No. 52 and S.R. 2017 No. 45

(d) Regulation 4 was substituted by regulation 2(2) of S.R. 2015 No. 52 and amended by regulation 2(2) of S.R. 2017 No. 45

(e) Prescribed disease A14 was added by regulation 2 of S.R. 2009 No. 228 and amended by regulation 2(b) of S.R. 2012 No. 100

- (a) the use of those tools amounts to a period or periods in aggregate of at least 10 years;
- (b) within that period or those periods,, the use of those tools amounts to at least 2 hours per day for 3 or more days per week; and
- (c) the onset of the disease fell within the period or periods of use specified in this paragraph.”.

Sealed with the Official Seal of the Department for Communities on 21st October 2019

(L.S.)

Anne McCleary

A senior officer of the Department for Communities

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(2) amends regulation 4 to include new prescribed disease A15 (Dupuytren’s contracture) in the presumption that a disease is due to the nature of a person’s employment.

Regulation 2(3) amends Part 1 of Schedule 1, which sets out the diseases for which industrial injuries disablement benefit is payable, by adding new prescribed disease A15, Dupuytren’s contracture, as it relates to occupations involving the use of hand-held powered tools.

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.

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