

This draft Order supersedes the draft published on 20th November 2006. It has been printed in substitution of the earlier draft and is being issued free of charge to all known recipients of that Statutory Instrument.

Draft Order laid before Parliament under section 15(4) of the Compensation Act 2006, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2006 No. []

**CONSUMER PROTECTION,
ENGLAND AND WALES**

The Compensation (Specification of Benefits) Order 2006

Made - - - - -

Coming into force in accordance with article 2

This Order is made in exercise of the powers conferred by section 4(5) of the Compensation Act 2006(1).

A draft of this Order has been laid before Parliament in accordance with section 15(4) of that Act and approved by a resolution of each House of Parliament.

It appears to the Secretary of State that the benefits specified or referred to in article 3 are United Kingdom social security benefits designed to provide compensation for industrial injury, as required by section 4(6) of that Act.

Accordingly, the Secretary of State makes the following Order:

Citation

1. This Order may be cited as the Compensation (Specification of Benefits) Order 2006.

Commencement

2. This Order comes into force on the day after the day on which it is made.

Specification of benefit

3. A claim for any of the following benefits shall be treated as a claim for the purposes of Part 2 of the Compensation Act 2006—

- (a) industrial injuries benefit, within the meaning given by section 94 of the Social Security Contributions and Benefits Act 1992(2);
- (b) any supplement or additional allowance, or increase of benefit or allowance, to which a recipient of such a benefit may be entitled under that or any other Act;
- (c) a benefit under a scheme referred to in paragraph 2 or 4 of Schedule 8 to that Act;
- (d) a benefit under the Pneumoconiosis etc. (Workers' Compensation) Act 1979(3).

Signed by the authority of the Secretary of State

Address
Date

... ..
Parliamentary Under Secretary of State
Department for Constitutional Affairs

(2) 1992 c. 4.
(3) 1979 c. 41.

EXPLANATORY NOTE

(This note is not part of the Order)

Part 2 of the Compensation Act 2006 (“the Act”)(**4**) regulates claims management services. Those services are provided in relation to a variety of kinds of claim. This Order provides that a claim for industrial injuries benefit is to be treated as a claim for the purposes of Part 2 of the Act. Under section 94 of the Social Security Contributions and Benefits Act 1992(**5**), industrial injuries benefit consists of disablement benefit, reduced earnings allowance, retirement allowance and industrial death benefit. Additional benefits are payable for constant attendance and exceptionally severe disablement and by way of unemployability supplement. Claims under certain older schemes (under Schedule 8 to the 1992 Act and under the Pneumoconiosis etc. (Workers’ Compensation) Act 1979(**6**)) are also to be treated as claims for the purposes of Part 2 of the Act.

(**4**) 2006 c. 29.
(**5**) 1992 c. 4.
(**6**) 1979 c. 41.