



Welfare Reform Act 2012

2012 CHAPTER 5

PART 3

OTHER BENEFIT CHANGES

Industrial injuries benefit

64 Injuries arising before 5 July 1948

- (1) In Part 5 of the Social Security Contributions and Benefits Act 1992 (industrial injuries benefit), the following provisions are repealed—
 - (a) in section 94(1), the words “after 4th July 1948”;
 - (b) in section 103(2)(a), the words “after 4th July 1948”;
 - (c) in section 108(1), the words “and which developed after 4th July 1948”;
 - (d) in section 108(3), the words “but not before 5th July 1948”;
 - (e) in section 109(5)(a), the words “after 4th July 1948”;
 - (f) in section 109(5)(b) and (6)(a), the words “and developed after 4th July 1948”.
- (2) Accordingly, section 111 and Schedule 8 of that Act (which relate to compensation and benefits in respect of industrial injuries before 5 July 1948) are repealed.
- (3) The Secretary of State may make regulations—
 - (a) for, and in relation to, the payment of industrial injuries benefit to persons to whom, before the commencement of this section, compensation or benefits were payable under section 111 of, and Schedule 8 to, the Social Security Contributions and Benefits Act 1992;
 - (b) for claims for the payment of such compensation or benefit to be treated as claims for industrial injuries benefit.
- (4) In subsection (3) “industrial injuries benefit” has the meaning given by section 122(1) of the Social Security Contributions and Benefits Act 1992.
- (5) Regulations under this section are to be made by statutory instrument.

Changes to legislation: Welfare Reform Act 2012, Cross Heading: Industrial injuries benefit is up to date with all changes known to be in force on or before 21 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (6) A statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament.

Commencement Information

- I1** S. 64 in force at 30.10.2012 for specified purposes by [S.I. 2012/2530, art. 2\(5\)\(a\)](#)
I2 S. 64 in force at 5.12.2012 in so far as not already in force by [S.I. 2012/2530, art. 2\(6\)\(a\)](#)

65 Persons under 18

- (1) In Schedule 4 to the Social Security Contributions and Benefits Act 1992 (rates of benefits), Part 5 (rates of industrial injuries benefit) is amended as follows.
- (2) In entry 1 (which relates to disablement pension (weekly rates)), in the second column (“Rate”)—
- (a) in the opening words, for the words from “in that Table” to the end of paragraph (b) there is substituted “ in column (2) of that Table. ”;
 - (b) in the Table, column (3) is repealed.
- (3) In entry 4 (which relates to the maximum of aggregate of weekly benefit payable for successive accidents), in the second column (“Rate”)—
- (a) paragraph (a) is repealed, except for the monetary amount specified;
 - (b) paragraph (b) is repealed, including the monetary amount specified.

Commencement Information

- I3** S. 65 in force at 5.12.2012 by [S.I. 2012/2530, art. 2\(6\)\(b\)](#)

66 Trainees

- (1) After section 95 of the Social Security Contributions and Benefits Act 1992 there is inserted—

“95A Employment training schemes etc

- (1) In the industrial injuries and diseases provisions any reference to employed earner’s employment shall be taken to include participation in an employment training scheme or employment training course of a prescribed description (and “employed earner” shall be construed accordingly).
 - (2) In those provisions, a reference to an employer, in relation to any such participation, shall be taken to be a prescribed person.
 - (3) In this section “industrial injuries and diseases provisions” has the same meaning as in section 95(4) above.”
- (2) In section 11 of the Employment and Training Act 1973 (financial provision), in subsection (3) (power to make payments in respect of trainees equivalent to social security benefits payable in respect of employees), for “Parts II to V” there is substituted “Parts 2 to 4”.

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- (3) The Secretary of State may make regulations—
- (a) for, and in relation to, the payment of industrial injuries benefit to persons to whom, before the commencement of this section, payments were payable under section 11(3) of the Employment and Training Act 1973;
 - (b) for claims for such payments to be treated as claims for industrial injuries benefit.
- (4) In subsection (3) “industrial injuries benefit” has the meaning given by section 122(1) of the Social Security Contributions and Benefits Act 1992.
- (5) Regulations under this section are to be made by statutory instrument.
- (6) A statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament.

Commencement Information

- I4** S. 66 in force at 30.10.2012 for specified purposes by [S.I. 2012/2530](#), [art. 2\(5\)\(b\)](#)
I5 S. 66 in force at 31.10.2013 in so far as not already in force by [S.I. 2013/2534](#), [art. 2](#)

67 Restriction on new claims for industrial death benefit

In Part 6 of Schedule 7 to the Social Security Contributions and Benefits Act 1992 (industrial death benefit), in paragraph 14, after sub-paragraph (1) there is inserted—

“(1A) No claim may be made for industrial death benefit after the coming into force of this sub-paragraph.”

Commencement Information

- I6** S. 67 in force at 5.12.2012 by [S.I. 2012/2530](#), [art. 2\(6\)\(c\)](#)

68 Determinations

- (1) Section 29(2) of the Social Security Act 1998 (which provides for decisions as to whether an accident is an industrial accident in the absence of a claim for benefit) is repealed.
- (2) In section 30 of that Act (effect of decision), in subsection (1), the words from “(given” to “otherwise)” are repealed.

Commencement Information

- I7** S. 68 in force at 5.12.2012 by [S.I. 2012/2530](#), [art. 2\(6\)\(d\)](#)

Changes to legislation:

Welfare Reform Act 2012, Cross Heading: Industrial injuries benefit is up to date with all changes known to be in force on or before 21 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing S.I. 2013/1511 by [S.I. 2017/57 art. 51314Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2013/2657 by [S.I. 2016/596 art. 4-6Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2013/2657 by [S.I. 2017/57 art. 1315Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2013/2846 by [S.I. 2016/596 art. 347Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2013/983 by [S.I. 2018/138 art. 3](#)
- specified provision(s) amendment to earlier commencing S.I. 2013/983 by [S.I. 2019/10 reg. 3\(1\)](#)
- specified provision(s) amendment to earlier commencing S.I. 2013/983 by [S.I. 2019/167 art. 5\(2\)](#)
- specified provision(s) amendment to earlier commencing S.I. 2013/983, art. 5A(1), 6(1) by [S.I. 2017/483 art. 2](#)
- specified provision(s) amendment to earlier commencing S.I. 2014/1583 by [S.I. 2017/664 art. 5Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2014/209 by [S.I. 2016/596 art. 348Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2014/209 by [S.I. 2017/57 art. 1016Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2014/2321 by [S.I. 2016/596 art. 59Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2014/2321 by [S.I. 2016/963 art. 37813Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2014/2321 by [S.I. 2017/584 art. 5Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2014/2321 by [S.I. 2017/664 art. 5Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/101 by [S.I. 2016/596 art. 3-510Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/101 by [S.I. 2016/963 art. 46-1214Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/101 by [S.I. 2017/57 art. 3-9111217Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/101 by [S.I. 2017/584 art. 346-9Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/101 by [S.I. 2017/664 art. 3-57-9Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/1537 by [S.I. 2016/596 art. 3411Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/1537 by [S.I. 2016/963 art. 3-1215Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/1537 by [S.I. 2017/57 art. 3-7912Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/1537 by [S.I. 2017/584 art. 346-9Sch.](#)

- specified provision(s) amendment to earlier commencing S.I. 2015/1537 by [S.I. 2017/664 art. 3-9Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/33 by [S.I. 2018/138 art. 6](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/33 by [S.I. 2019/10 reg. 3\(2\)](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/33 by [S.I. 2019/167 art. 5\(3\)](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/33 by [S.I. 2019/37 art. 5](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/33, art. 6(11) by [S.I. 2017/483 art. 3](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/634 by [S.I. 2018/138 art. 6](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/634 by [S.I. 2019/10 reg. 3\(3\)](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/634 by [S.I. 2019/167 art. 5\(4\)](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/634 by [S.I. 2019/37 art. 5](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/634, art. 7(2) by [S.I. 2017/376 reg. 4](#)
- specified provision(s) amendment to earlier commencing S.I. 2016/596 by [S.I. 2016/963 art. 17](#)
- specified provision(s) amendment to earlier commencing S.I. 2019/37 by [S.I. 2019/935 art. 2](#)
- specified provision(s) modification of earlier commencing S.I. 2014/1583 by [S.I. 2018/532 art. 3Sch.](#)
- specified provision(s) modification of earlier commencing S.I. 2014/2321 by [S.I. 2018/532 art. 3Sch.](#)
- specified provision(s) modification of earlier commencing S.I. 2015/101 by [S.I. 2018/532 art. 3Sch.](#)
- specified provision(s) modification of earlier commencing S.I. 2015/1537 by [S.I. 2018/532 art. 3Sch.](#)
- specified provision(s) modification of earlier commencing S.I. 2015/634 by [S.I. 2018/532 art. 5](#)