
STATUTORY INSTRUMENTS

1988 No. 553

SOCIAL SECURITY

**The Social Security (Industrial Injuries)
(Miscellaneous Amendments) Regulations 1988**

<i>Made</i>	- - - -	<i>21st March 1988</i>
<i>Laid before Parliament</i>		<i>21st March 1988</i>
<i>Coming into force</i>	- -	<i>11th April 1988</i>

The Secretary of State for Social Services, in exercise of the powers conferred upon him by sections 59A(10), 76, 77, 82(5) and 129 of, and Schedule 20 to, the Social Security Act 1975(1) and of all other powers enabling him in that behalf, after reference to the Industrial Injuries Advisory Council(2), hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Social Security (Industrial Injuries) (Miscellaneous Amendments) Regulations 1988 and shall come into force on 11th April 1988.

Amendment of the Social Security (Industrial Injuries) (Airmen's Benefits) Regulations 1975

2. In regulation 4(b) of the Social Security (Industrial Injuries) (Airmen's Benefits) Regulations 1975(3) (disqualification and suspension during absence from Great Britain) for the words "for receiving an increase of disablement pension in respect of special hardship under section 60 of the Act" there shall be substituted the words "for receiving reduced earnings allowance under section 59A of the Act".

Amendment of the Social Security (Industrial Injuries) (Mariners' Benefits) Regulations 1975

3. In regulation 5(b) of the Social Security (Industrial Injuries) (Mariners' Benefits) Regulations 1975(4) (disqualification and suspension during absence from Great Britain) for the words "for

(1) 1975 c. 14; section 59A was inserted by the Social Security Act 1986 (c. 50), section 39, Schedule 3, paragraph 5; section 77 was amended by the Social Security and Housing Benefits Act 1982 (c. 24), Schedule 5 and by the Social Security Act 1986 (c. 50), Schedule 3, paragraph 13; Schedule 20 is quoted because of the meaning ascribed to the words "Prescribed" and "Regulations".

(2) See section 141 of the Social Security Act 1975.

(3) S.I. 1975/469; the relevant amending instrument is S.I. 1983/186.

(4) S.I. 1975/470; the relevant amending instrument is S.I. 1983/186.

receiving an increase of disablement pension in respect of special hardship allowance under section 60 of the Act”, there shall be substituted the words “for receiving reduced earnings allowance under section 59A of the Act”.

Amendment of the Social Security (Industrial Injuries) (Reduced Earnings Allowance and Transitional) Regulations 1987

4.—(1) Regulation 2 of the Social Security (Industrial Injuries) (Reduced Earnings Allowance and Transitional) Regulations 1987⁽⁵⁾ (determination of the probable standard of remuneration for reduced earnings allowance) shall be amended in accordance with the following provisions of this regulation.

(2) In paragraph (6), for the words “increased by a percentage equal to any percentage increase” there shall be substituted the words “adjusted by a percentage equal to any percentage change”.

(3) In paragraph (7)(b) for the words “percentage increase” there shall be substituted the words “percentage change”.

(4) In paragraph (7)(c), for the words “percentage increase” there shall be substituted the words “percentage change” and for the words “which the increase relates” there shall be substituted the words “which the change relates”.

Amendment of the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations 1985

5. In regulation 1 of the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations 1985⁽⁶⁾ (citation, commencement and interpretation), after paragraph (3) there shall be inserted the following paragraph —

“(4) In these Regulations, any reference to death benefit shall be taken as including also a reference to any benefit in respect of which contribution conditions are taken as having been satisfied in accordance with paragraph 10 of Schedule 3 to the Social Security Act 1986.”⁽⁷⁾

Signed by authority of the Secretary of State for Social Services.

21st March 1988

Nicholas Scott
Minister of State,
Department of Health and Social Security

(5) S.I. 1987/415.
(6) S.I. 1985/967.
(7) 1986 c. 60.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations contain amendments to regulations relating to industrial injuries benefits.

Regulation 2 provides that airmen are not to be disqualified for receiving reduced earnings allowance whilst absent from Great Britain in the course of their employment. Regulation 3 provides similarly in relation to mariners.

Regulation 4 enables the probable standard of remuneration in comparable occupational groups which is used for the purpose of determining the level of reduced earnings allowance payable to beneficiaries to take account of falls as well as increases in the earnings of those groups.

Regulation 5 provides for references in the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations 1985 to death benefit to include a reference to benefit in respect of which contribution conditions are taken to be satisfied where an employed earner dies as a result of a personal injury or an industrial disease.

As the provisions contained in regulations 2 and 3 have the same effect as the superseded provisions, these Regulations are not required to be approved by resolution of each House of Parliament (section 167(2)(c) of the Social Security Act 1975).