
STATUTORY INSTRUMENTS

2005 No. 324

SOCIAL SECURITY

The Social Security (Industrial Injuries) (Prescribed Diseases) Amendment Regulations 2005

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| <i>Made</i> | - - - - | <i>10th February 2005</i> |
| <i>Laid before Parliament</i> | | <i>18th February 2005</i> |
| <i>Coming into force</i> | - - | <i>14th March 2005</i> |

The Secretary of State for Work and Pensions, in exercise of the powers conferred upon him by sections 108(2), 122(1) and 175(1) to (4) of the Social Security Contributions and Benefits Act 1992⁽¹⁾ and section 5(1)(a) of the Social Security Administration Act 1992⁽²⁾ and of all other powers enabling him in that behalf, being satisfied of the matters referred to in section 108(2)(a) and (b) of the Social Security Contributions and Benefits Act and after reference to the Industrial Injuries Advisory Council⁽³⁾, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Industrial Injuries) (Prescribed Diseases) Amendment Regulations 2005 and shall come into force on 14th March 2005.

(2) In these Regulations “the principal Regulations” means the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations 1985⁽⁴⁾.

Amendment of regulations 2 and 25 of the principal Regulations

2.—(1) In regulation 2(c) of the principal Regulations (occupational deafness) the words after “to these regulations” shall be omitted.

(2) In regulation 25(2) of the principal Regulations (time for claiming for occupational deafness) the words after “prescribed in relation to occupational deafness” shall be omitted.

(1) 1992 c. 4. Section 122(1) is cited for the definition of “prescribe”. Section 175 was amended by paragraph 29 of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2) and Schedule 6 to the Tax Credits Act 2002 (c. 21).

(2) 1992 c. 5.

(3) See sections 171 and 172(2) of the Social Security Administration Act 1992.

(4) S.I.1985/967; relevant amending instruments are S.I. 1986/1374, 1989/1207, 1991/1938, 1996/425, 1999/1958, 2000/1588.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Amendment of Schedule 1 to the principal Regulations

3.—(1) Part I of Schedule 1 to the principal Regulations (list of prescribed diseases and the occupations for which they are prescribed) shall be amended as follows.

(2) After the entry relating to prescribed disease A12 there shall be added the following entry—

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| <p>“A13. Osteoarthritis of the hip.</p> | <p>Work in agriculture as a farmer or farm worker for a period of, or periods which amount in aggregate to, 10 years or more.”.</p> |
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(3) For the entry relating to prescribed disease B1 there shall be substituted—

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| <p>“B1. Anthrax.</p> | <p>(a) Contact with anthrax spores, including contact with animals infected by anthrax; or</p> <p>(b) handling, loading, unloading or transport of animals of a type susceptible to infection with anthrax or of the products or residues of such animals.”.</p> |
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(4) For the entry relating to prescribed disease B4 there shall be substituted—

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| <p>“B4. Ankylostomiasis.</p> | <p>Contact with a source of ankylostomiasis.”.</p> |
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(5) For the entry relating to prescribed disease B8 there shall be substituted—

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| <p>“B8A. Infection by hepatitis A virus.</p> | <p>Contact with raw sewage.</p> |
| <p>B8B. Infection by hepatitis B or C virus.</p> | <p>Contact with—</p> <p>(a) human blood or human blood products; or</p> <p>(b) any other source of hepatitis B or C virus.”.</p> |

(6) After the entry relating to prescribed disease B13 there shall be added the following entries—

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| <p>“B14. Lyme disease.</p> | <p>Exposure to deer or other mammals of a type liable to harbour ticks harbouring <i>Borrelia</i> bacteria.</p> |
| <p>B15. Anaphylaxis.</p> | <p>Employment as a healthcare worker having contact with products made with natural rubber latex.”.</p> |

(7) In the first column of the entry relating to prescribed disease D4 (allergic rhinitis), after subparagraph (w) there shall be added—

“(x) products made with natural rubber latex.”.

(8) In the first column of the entry relating to prescribed disease D7 (asthma), after subparagraph (w) there shall be inserted—

“(wa) products made with natural rubber latex;”.

Transitional provision

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

Signed by authority of the Secretary of State for Work and Pensions.

10th February 2005

Jane Kennedy
Minister of State,
Department for Work and Pensions

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EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations 1985, which prescribe diseases for which industrial injuries benefit is payable.

Regulation 2 makes amendment in respect of concurrent employment in two or more occupations in relation to occupational deafness and deletes, with consequential changes, obsolete exceptions which relate to claims in respect of occupational deafness made before 3rd October 1984.

Regulation 3 amends Part I of Schedule 1 to the 1985 Regulations by adding osteoarthritis of the hip, Lyme disease and anaphylaxis to the list of prescribed diseases and adding to the description of allergic rhinitis and asthma. It also makes changes to the description of the occupations in relation to which anthrax, ankylostomiasis and hepatitis are prescribed diseases.

Regulation 4 makes transitional provision, so that the amendments to Schedule 1 do not apply to claims made before these Regulations come into force.

A full regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business.