



2007 CHAPTER 2

PART 4

MISCELLANEOUS

Compensation for pneumoconiosis etc.

“Relevant employer”

52.—(1) The [Pneumoconiosis, etc., \(Workers' Compensation\) \(Northern Ireland\) Order 1979 \(NI 9\)](#) is amended as follows.

(2) In Article 2(2) (interpretation), at the end add—
““relevant employer” has the meaning given in the Schedule.”.

(3) In Article 3(3)(b) (payments to persons disabled by pneumoconiosis, etc.) for the words from “every person” to “disablement,” substitute “every relevant employer of the person so disabled”.

(4) In Article 11(2) (regulations subject to affirmative resolution), after “Article 4” insert “, regulations under paragraph 9 of the Schedule”.

(5) Insert the Schedule (definition of “relevant employer”) set out in Schedule 6.

“Dependant”

53.—(1) In Article 5 of the [Pneumoconiosis, etc., \(Workers' Compensation\) \(Northern Ireland\) Order 1979 \(NI 9\)](#) (meaning of “dependant”), for paragraph (1)(c) substitute—

“(c) if neither sub-paragraph (a) nor sub-paragraph (b) applies but the deceased left a person who was residing with him and with whom he was in a qualifying relationship, that person;”.

(2) After paragraph (2) of that Article insert—

“(2A) For the purposes of paragraph (1)(c)—

(a) two persons of the opposite sex are in a qualifying relationship if they are living together as husband and wife;

(b) two persons of the same sex are in a qualifying relationship if they are living together as if they were civil partners.

(2B) For the purposes of paragraph (2A)(b), two persons of the same sex are to be regarded as living together as if they were civil partners if, but only if, they would be regarded as living together as husband and wife were they instead two people of the opposite sex.”.

(3) In Schedule 22 to the Civil Partnership Act 2004 (c. 33) (existing provisions to which the provisions of section 246 about interpretation of references to stepchildren apply), after paragraph 6 insert—

“6A

Article 5(3) of the Pneumoconiosis, etc., (Workers' Compensation) (Northern Ireland) Order 1979 (“child” and “relative”: establishment of relationship).”.
