
D R A F T S T A T U T O R Y I N S T R U M E N T S

2024 No. XXXX

SOCIAL SECURITY

The Pneumoconiosis etc. (Workers' Compensation) (Payment of Claims) (Amendment) Regulations 2024

Made - - - - - *****
Coming into force - - - *1st April 2024*

The Secretary of State for Work and Pensions makes the following Regulations, in exercise of the powers conferred by sections 1(1), (2) and (4) and 7(1) and (2) of the Pneumoconiosis etc. (Workers' Compensation) Act 1979(a).

In accordance with section 7(3)(b) of the Pneumoconiosis etc. (Workers' Compensation) Act 1979, a draft of this instrument was laid before, and approved by a resolution of, each House of Parliament.

Citation, commencement, application and extent

1.—(1) These Regulations may be cited as the Pneumoconiosis etc. (Workers' Compensation) (Payment of Claims) (Amendment) Regulations 2024 and come into force on 1st April 2024.

(2) These Regulations apply only in relation to any case in which a person first fulfils the conditions of entitlement to a payment under the Pneumoconiosis etc. (Workers' Compensation) Act 1979 on or after 1st April 2024.

(3) These Regulations extend to England and Wales and Scotland.

Amendment of the Pneumoconiosis etc. (Workers' Compensation) (Payment of Claims) Regulations 1988

2.—(1) The Pneumoconiosis etc. (Workers' Compensation) (Payment of Claims) Regulations 1988(c) are amended as follows.

(2) In the proviso to regulation 5(1) (payment where death results from diffuse mesothelioma) for “£3,771” substitute “£4,024”.

(3) In regulation 6(1)(a) (payment where pneumoconiosis is accompanied by tuberculosis) for “£7,801” (in both places) substitute “£8,324”.

(4) In regulation 8 (minimum amount payable to dependant) for “£3,771” substitute “£4,024”.

(a) 1979 c. 41. Section 1 was amended by section 24 of the Social Security Act 1985 (c. 53).

(b) Section 7(3) was amended by section 58 of the Welfare Reform Act 2007 (c. 5).

(c) S.I. 1988/668; relevant amending instruments are S.I. 1989/552, S.I. 2013/690, S.I. 2015/503 and S.I. 2023/372.

(5) In the Schedule—

(a) in the part headed “TABLE 1”, for the table substitute—

“Age of disabled person	Percentage assessment for the relevant period												
	10% or under £	11% -20% £	21% -30% £	31% -40% £	41% -50% £	51% -60% £	61% -70% £	71% -80% £	81% -90% £	91% -100% £			
37 or under	46,569	83,166	97,575	100,350	103,120	105,337	107,556	109,774	111,989	114,210			
38	45,238	79,833	94,636	98,024	100,899	103,120	105,337	107,556	109,774	111,989			
39	43,907	76,507	91,699	95,692	98,688	100,610	103,120	105,337	107,556	109,774			
40	42,581	73,177	88,761	93,360	96,461	98,684	100,899	103,120	105,337	107,558			
41	41,248	69,856	85,827	91,026	94,252	96,461	98,684	100,899	103,120	105,337			
42	39,909	66,534	82,882	88,711	92,034	94,252	96,461	98,684	100,899	103,120			
43	37,923	62,645	79,946	86,933	90,484	93,145	95,359	97,575	99,794	102,015			
44	35,922	58,766	77,002	85,162	88,929	92,034	94,252	96,461	98,684	100,899			
45	33,931	54,886	74,067	83,384	87,379	90,919	93,145	95,359	97,575	99,794			
46	31,935	51,010	71,133	81,613	85,827	89,819	92,034	94,252	96,461	98,684			
47	29,941	47,125	68,190	79,833	84,274	88,711	90,919	93,145	95,359	97,575			
48	28,220	45,573	65,868	76,289	81,613	85,598	87,822	90,039	92,250	94,476			
49	26,501	44,021	63,538	72,740	78,953	82,494	84,713	86,933	89,152	91,373			
50	24,782	42,469	61,252	69,193	76,289	79,389	81,613	83,827	86,041	88,262			
51	23,064	40,916	58,877	65,641	73,623	76,289	78,526	80,719	82,942	85,162			
52	21,344	39,362	56,550	62,093	70,960	73,177	75,406	77,619	79,833	82,048			
53	19,735	36,596	52,999	58,990	68,302	70,960	73,177	75,406	77,619	79,833			
54	18,128	33,822	49,450	55,893	65,641	68,751	70,960	73,177	75,406	77,619			
55	16,526	31,051	45,910	52,779	62,979	66,534	68,751	70,960	73,177	75,406			
56	14,912	28,274	42,358	49,676	60,321	64,310	66,534	68,751	70,960	73,177			
57	13,308	25,500	38,811	46,569	57,669	62,095	64,310	66,534	68,751	70,960			
58	12,250	23,176	34,656	41,797	51,891	55,997	58,380	60,712	62,980	65,197			
59	11,198	20,845	30,491	37,037	46,125	49,895	52,445	54,886	57,215	59,428			
60	10,150	18,515	26,335	32,266	40,365	43,799	46,509	49,068	51,453	53,670			
61	9,091	16,186	22,181	27,499	34,594	37,700	40,580	43,247	45,685	47,902			

62	8,038	13,860	18,018	22,728	28,830	31,601	34,656	37,427	39,909	42,137
63	7,486	12,529	16,186	20,322	25,645	28,381	31,267	33,931	36,368	38,588
64	6,943	11,198	14,360	17,905	22,451	25,172	27,890	30,438	32,817	35,035
65	6,377	9,871	12,529	15,500	19,270	21,954	24,506	26,947	29,275	31,493
66	5,825	8,540	10,700	13,084	16,080	18,738	21,123	23,448	25,725	27,943
67	5,270	7,208	8,867	10,673	12,891	15,528	17,745	19,957	22,181	24,395
68	5,125	6,979	8,565	10,234	12,450	14,912	17,049	19,350	21,481	23,672
69	4,991	6,765	8,265	9,785	12,007	14,305	16,360	18,738	20,795	22,947
70	4,851	6,547	7,956	9,343	11,562	13,689	15,666	18,128	20,096	22,234
71	4,714	6,318	7,651	8,896	11,115	13,084	14,973	17,520	19,409	21,513
72	4,575	6,098	7,346	8,456	10,673	12,477	14,273	16,909	18,708	20,795
73	4,458	5,990	7,236	8,290	10,504	12,199	14,000	16,469	18,159	20,181
74	4,352	5,876	7,123	8,125	10,343	11,918	13,724	16,026	17,602	19,556
75	4,245	5,771	7,016	7,956	10,171	11,643	13,444	15,579	17,049	18,957
76	4,130	5,652	6,901	7,789	10,004	11,369	13,170	15,136	16,488	18,356
77 or over	4,024	5,543	6,795	7,621	9,840	11,087	12,891	14,699	15,940	17,745**;

(b) in the part headed “TABLE 2”, for the table (together with the headings to the table) substitute—

“Part A

<i>Age of disabled person on their last birthday before their death</i>	<i>Percentage assessment for the relevant period</i>				
	<i>10% or under £</i>	<i>11%-20% £</i>	<i>21%-30% £</i>	<i>31%-49% £</i>	<i>50% or over £</i>
37 or under	29,496	50,292	56,388	58,053	59,436
38	28,831	48,404	54,722	56,388	58,159
39	28,169	46,519	53,060	54,721	56,884
40	27,498	44,629	51,395	53,060	55,609
41	26,833	42,747	49,733	51,395	54,334
42	26,174	40,869	48,067	49,733	53,060
43	24,973	38,428	46,570	48,234	51,839
44	23,784	35,979	45,070	46,739	50,608
45	22,593	33,543	43,574	45,241	49,396
46	21,400	31,101	41,950	43,744	48,177
47	20,208	28,663	40,589	42,252	46,960
48	19,297	27,996	39,479	41,086	45,464
49	18,375	27,329	38,367	39,921	43,963
50	17,464	26,663	37,262	38,749	42,468
51	16,551	26,000	36,152	37,593	40,976
52	15,636	25,338	35,042	36,427	39,479
53	15,216	23,784	32,938	34,817	38,253
54	14,802	22,230	30,826	33,210	37,038
55	14,388	20,677	28,719	31,605	35,818
56	13,973	19,126	26,611	29,999	34,590
57	13,308	17,578	24,506	28,389	33,374
58	12,250	16,463	22,099	25,564	29,999
59	11,198	15,353	19,687	22,730	26,611
60	10,150	14,253	17,269	19,904	23,233
61	9,091	13,139	14,861	17,077	19,850
62	8,038	12,036	12,445	14,253	16,463
63	7,486	11,949	12,284	13,717	15,497
64	6,943	11,198	12,110	13,195	14,538
65	6,377	9,871	11,949	12,666	13,554
66	5,825	8,540	10,700	12,142	12,586
67 or over	4,024	5,543	6,795	7,621	9,840

Part B

<i>Age of disabled person on their last birthday before their death</i>	<i>Payment £</i>
37 or under	59,436
38	58,159
39	56,884
40	55,609
41	54,334

42	53,060
43	51,839
44	50,608
45	49,396
46	48,177
47	46,960
48	45,464
49	43,963
50	42,468
51	40,976
52	39,479
53	38,253
54	37,038
55	35,818
56	34,590
57	33,374
58	29,999
59	26,611
60	23,233
61	19,850
62	16,463
63	15,497
64	14,538
65	13,554
66	12,586
67 or over	9,840”.

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

Name
Minister of State
Department for Work and Pensions

Date

EXPLANATORY NOTE

(This note is not part of the Regulations)

Under the Pneumoconiosis etc. (Workers’ Compensation) Act 1979 (c. 41) (“the Act”) lump sum payments may be made to certain persons disabled by a disease to which the Act applies, or to dependants of persons who were so disabled before they died.

These Regulations amend the Pneumoconiosis etc. (Workers’ Compensation) (Payment of Claims) Regulations 1988 (S.I. 1988/668) (“the 1988 Regulations”). The amendments made by regulation 2 have the effect of increasing the amounts payable under the 1988 Regulations. The increase in each case is 6.7 per cent rounded up or down to the nearest £1 as appropriate.

By virtue of regulation 1(2), the amendments made by these Regulations apply only in relation to any case in which a person first fulfils the conditions of entitlement to a payment under the Act on or after 1st April 2024.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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