



Pneumoconiosis etc. (Workers' Compensation) Act 1979

1979 CHAPTER 41

4 Determination of claims.

- (1) Any reference in this Act to a claim under section 1 above is a reference to a claim under that section which is made—
 - (a) in the manner prescribed by regulations; and
 - (b) within the period of 12 months beginning with the relevant date or within such further period as the Secretary of State may allow.
- (2) The Secretary of State may, if he thinks fit, before determining any claim under section 1 above, appoint a person to hold an inquiry into any question arising on the claim, or any matters arising in connection therewith, and to report on the question, or on those matters, to the Secretary of State.
- (3) Section [F¹18 of the Social Security Administration Act 1992] (appeal on question of law) shall apply in relation to any question of law arising in connection with the determination by the Secretary of State of any claim under section 1 above as it applies in relation to any question of law arising in connection with the determination by the Secretary of State of any question within section [F¹17(1)] of that Act.
- (4) In this section “relevant date”—
 - (a) in the case of a person disabled by a disease to which this Act applies, [F²other than a disease specified in an order under section 1 above,] means the date on which disablement benefit first became payable to him in respect of the disease or the date of the coming into force of this Act, whichever is the later;
 - (b) in the case of the dependant of a person who, immediately before he died, was disabled by a disease to which this Act applies, [F²other than a disease specified in an order under section 1 above,] means the date of the deceased's death or the date of the coming into force of this Act, whichever is the later.
 - [F³(c) in the case of a person disabled by a disease specified in an order under section 1 above, means the date on which disablement benefit first became payable to him in respect of the disease or the date of the coming into force of the order, whichever is the later;

Changes to legislation: There are currently no known outstanding effects for the Pneumoconiosis etc. (Workers' Compensation) Act 1979, Section 4. (See end of Document for details)

- (d) in the case of the dependant of a person who, immediately before he died, was disabled by a disease specified in an order under section 1 above, means the date of the deceased's death or the date of the coming into force of the order, whichever is the later.]

Textual Amendments

- F1** Words in s. 4(3) substituted (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#), ss. 4, 7(2), [Sch. 2](#), para. 56(a)(b)
- F2** Words inserted by [Social Security Act 1985 \(c. 53, SIF 113:1\)](#), [s. 24\(b\)\(i\)](#)
- F3** S. 4(4)(c)(d) added by [Social Security Act 1985 \(c. 53, SIF 113:1\)](#), [s. 24\(b\)\(ii\)](#)

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