### STATUTORY INSTRUMENTS

### 1985 No. 967

### SOCIAL SECURITY

The Social Security (Industrial Injuries) (Prescribed Diseases) Regulations 1985

Made - - - - 24th June 1985
Laid before Parliament 10th July 1985
Coming into Operation 31st July 1985

# THE SOCIAL SECURITY (INDUSTRIAL INJURIES) (PRESCRIBED DISEASES) REGULATIONS 1985

### PART I

### **GENERAL**

1. Citation, commencement and interpretation

### PART II

### PRESCRIPTION OF DISEASES AND PRESUMPTION AS TO THEIR ORIGIN

- Prescription of diseases and injuries and occupations for which they are prescribed
- 3. Sequelae or resulting conditions
- 4. Presumption that a disease is due to the nature of employment

### PART III

### DATE OF ONSET AND RECRUDESCENCE

- 5. Development of disease
- 6. Date of onset
- 7. Recrudescence
- 8. Workmen's compensation cases
- 9. Re-employment of pneumoconiotics and special provisions for benefit (workmen's compensation cases)

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#### PART IV

### APPLICATION OF CHAPTERS IV AND VI OF PART II OF THE ACT AND OF REGULATIONS MADE THEREUNDER

- 10. Definition of "relevant disease"
- 11. Application of Chapters IV and VI of Part II of the Act
- 12. Application of Claims and Payments Regulations and Benefit Regulations
- 13. Benefit not payable in cases covered by the Industrial Injuries and Diseases (Old Cases) Act 1975
- 14. Diseases contracted outside Great Britain
- 14A Modification of paragraph 11(1) of Schedule 7 to the Social Security Contributions and Benefits Act 1992
- 15. Assessment of extent of disablement
- 15A Aggregation of Percentages of Disablement
- 15B Rounding
- 16. Death benefit for woman having care of deceased's children
- 17. Special provisions as to determination of regular occupation in relation to persons claiming reduced earnings allowance
- 18. Exception from requirements as to notice
- 19. Provisions as to medical examination

#### PART V

## SPECIAL PROVISIONS AS TO PNEUMOCONIOSIS, BYSSINOSIS, OCCUPATIONAL DEAFNESS AND CERTAIN OTHER DISEASES

### SECTION A

### **BENEFIT**

Special conditions for disablement benefit for pneumoconiosis, byssinosis and diffuse mesothelioma

- 20. (1) On a claim for disablement pension in respect of...
- 20A Diffuse mesothelioma—prescribed loss of faculty
- 20B Primary carcinoma of the lung and angiosarcoma of the liver–special conditions and prescribed loss of faculty

Pneumoconiosis—effects of tuberculosis

- 21. Where any person is found to be suffering from pneumoconiosis...
  - Pneumoconiosis—effects of chronic obstructive pulmonary disease
- 22. (1) Except in the circumstances specified in paragraph (1A), where...
  - Reduced earnings allowance—special provision for pneumoconiosis cases
- 23. Where a beneficiary in receipt of a disablement pension in...

Special requirement for pneumoconiosis claimants in unscheduled occupation cases

24. (1) A claim for disablement benefit in respect of pneumoconiosis...

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Time for claiming benefit in respect of occupational deafness

25. (1) Regulation 14 of the Claims and Payments Regulations (time...

Claims in respect of occupational deafness

26. Where it appears that a person who has made a...

Further claims in respect of occupational deafness

27. (1) In the event of disallowance of a claim for...

Availability of disablement benefit in respect of occupational deafness

28. Where a person is awarded disablement benefit in respect of...

Period to be covered by assessment of disablement in respect of occupational deafness

29. Paragraph 6(1) and (2) of Schedule 6 to the Social...

Review of assessment for unforeseen aggravation in respect of occupational deafness

- 30. (1) The provisions of section 110(2) (review of assessment in...
- 31. Subject to the provisions of regulation 30 and notwithstanding the...

No appeal against initial provisional assessment of disablement in respect of occupational deafness

32. Notwithstanding section 109(2), but subject to the provisions of section...

Cases in which reassessment of disablement in respect of occupational deafness is final

33. Where in any case the extent of disablement in respect...

Assessment of extent of disablement and rate of disablement benefit payable in respect of occupational deafness

34. (1) Subject to the provisions of Schedule 8 and regulations...

Commencement date of period of assessment in respect of occupational deafness

35. Notwithstanding ... Schedule 8, the period to be taken into...

Time for claiming benefit in respect of occupational asthma

36. (1) Subject to paragraphs (2) and (3), disablement benefit and...

### SECTION B

### MEDICAL EXAMINATIONS AND SUSPENSION

- 37. Initial examinations
- 38. Periodical examinations
- 39. Suspension from employment
- 40. Conditions of suspension
- 41. Duties of employers
- 42. Fees for initial and periodical examination

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#### PART VI

### TRANSITIONAL PROVISIONS AND REVOCATION

- 43. Transitional provisions regarding relevant dates
- 44. Transitional provisions regarding dates of development and dates of onset
- 45. Revocation Signature

SCHEDULE 1 —

PART I — LIST OF PRESCRIBED DISEASES AND THE OCCUPATIONS FOR WHICH THEY ARE PRESCRIBED

PART II — OCCUPATIONS FOR WHICH PNEUMOCONIOSIS IS PRESCRIBED

- 1. Any occupation involving— (a) the mining, quarrying or working of...
- 2. Any occupation involving the breaking, crushing or grinding of flint...
- 3. Any occupation involving sand blasting by means of compressed air...
- 4. Any occupation involving work in a foundry or the performance...
- 5. Any occupation in or incidental to the manufacture of china...
- 6. Any occupation involving the grinding of mineral graphite, or substantial...
- 7. Any occupation involving the dressing of granite or any igneous...
- 8. Any occupation involving the use, or preparation for use, of...
- 9. Any occupation involving—(a) the working or handling of asbestos...
- 10. Any occupation involving— (a) work underground in any mine in...
- 11. Any occupation in or incidental to the manufacture of carbon...
- 12. Any occupation involving boiler scaling or substantial exposure to the...
  - SCHEDULE 2 MODIFICATIONS OF CHAPTERS IV AND VI OF PART II OF THE ACT IN THEIR APPLICATION TO BENEFIT AND CLAIMS TO WHICH THESE REGULATIONS APPLY
  - SCHEDULE 3 ASSESSMENT OF THE EXTENT OF OCCUPATIONAL DEAFNESS
    - PART I CLAIMS TO WHICH REGULATION 34(1) APPLIES
    - PART II CLAIMS TO WHICH REGULATION 34(2) APPLIES
    - PART III FORMULA FOR CALCULATING BINAURAL DISABLEMENT
  - SCHEDULE 4 PRESCRIBED DISEASES AND RELEVANT DATES OF THE PURPOSES OF REGULATION 43

## SCHEDULE 5 — TRANSITIONAL PROVISIONS REGARDING DATES OF DEVELOPMENT AND DATES OF ONSET

- 1. In this Schedule the "date of development" has the meaning...
- 2. Where a claim for benefit has been made before 6th...
- 3. Where a claim for benefit is made after 5th April...
- 4. Where in pursuance of a claim made before 6th April...
- 5. Subject to paragraph 6, where a claim for injury benefit...
- 6. There shall be no entitlement, in the following cases, to...

### SCHEDULE 6 — REGULATIONS REVOKED

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**Explanatory Note** 

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### Read more

### **Changes to legislation:**

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