
STATUTORY INSTRUMENTS

1985 No. 967

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

PART I

GENERAL

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations 1985 and shall come into operation on 31st July 1985.

(2) In these regulations, unless the context otherwise requires—

“the Act” means the Social Security Act 1975;

[^{F1}“the 1998 Act” means the Social Security Act 1998;]

“the Workmen's Compensation Acts” means the Workmen's Compensation Acts 1925 to 1945, or the enactments repealed by the Workmen's Compensation Act 1925, or the enactments repealed by the Workmen's Compensation Act 1906;

“the Adjudication Regulations” means the Social Security (Adjudication) Regulations 1984(1);

“the Benefit Regulations” means the Social Security (General Benefit) Regulations 1982(2);

“the Claims and Payments Regulations” means the Social Security (Claims and Payments) Regulations 1979(3);

^{F2}
...

“asbestosis” means fibrosis of the parenchyma of the lungs due to the inhalation of asbestos dust;

“asbestos textiles” means yarn or cloth composed of asbestos or of asbestos mixed with any other material;

“coal mine” means any mine where one of the objects of the mining operations is the getting of coal (including bituminous coal, cannel coal, anthracite, lignite, and brown coal);

“diffuse mesothelioma” means the disease numbered D3 in Part I of Schedule 1 to these regulations;

“employed earner” means employed earner for the purposes of industrial injuries benefit and the term “employed earner's employment” shall be construed accordingly;

“foundry” means those parts of industrial premises where the production of metal articles (other than pig iron or steel ingots) is carried on by casting (not being diecasting or other casting in metal moulds), together with any part of the same premises where any of the following

(1) amended by S.I. 1984/613, 1991 and 1985/159.

(2) relevant amending instruments are S.I. 1983/186, 981.

(3) relevant amending instruments are S.I. 1980/1621, 1982/1241, 1344, 1983/1015, 1984/458, 550 and 1985/600.

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processes are carried on incidentally to such production, namely, the drying and subsequent preparation of sand for moulding (including the reclamation of used moulding sand), the preparation of moulds and cores, knock-out operations and dressing or fettling operations;

“grindstone” means a grindstone composed of natural or manufactured sandstone and includes a metal wheel or cylinder into which blocks of natural or manufactured sandstone are fitted;

[^{F3}“knock out and shake out grid” means a grid used for mechanically separating moulding sand from mouldings and castings;]

“a local office” means any office appointed by the Secretary of State as a local office for the purposes of the Act or of these regulations;

^{F4} ...

“medical board” has the same meaning as in regulation 30 of the Adjudication Regulations;

[^{F5}“medical practitioner” means a medical practitioner who has experience in the issues specified in regulation 12(1) of the Social Security and Child Support (Decisions and Appeals) Regulations 1999;]

[^{F6}“metal” for the purposes of the disease number A10 in Part I of Schedule 1 to these Regulations, does not include stone, concrete, aggregate or similar substances for use in road or railway construction;]

“mine” includes every shaft in the course of being sunk, and every level and inclined plane in the course of being driven, and all the shafts, levels, planes, works, tramways and sidings, both below ground and above ground, in and adjacent to and belonging to the mine, but does not include any part of such premises on which any manufacturing process is carried on other than a process ancillary to the getting or dressing of minerals or the preparation of minerals for sale;

“occupational asthma” means the disease numbered D7 in Part I of Schedule 1 to these regulations;

“occupational deafness” means the disease numbered A10 in Part I of Schedule 1 to these regulations;

“the old regulations” means the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations 1980, as amended by the Social Security (Industrial Injuries) (Prescribed Diseases) Amendment Regulations 1980, the Social Security (Industrial Injuries) (Prescribed Diseases) Amendment Regulations 1982 and the Social Security (Industrial Injuries) (Prescribed Diseases) Amendment (No. 2) Regulations 1982;

“prescribed disease” means a disease or injury prescribed under Part II of these regulations, and references to a prescribed disease being contracted shall be deemed to include references to a prescribed injury being received;

[^{F7}“primary carcinoma of the lung” means the diseases numbered D8, [^{F8}D8A,] D10 and D11 in Schedule 1 to these Regulations;]

“the Secretary of State” means the Secretary of State for Social Services;

“silica rock” means quartz, quartzite, ganister, sandstone, gritstone and chert, but not natural sand or rotten rock;

[^{F3}“skid transfer bank” means the area of a steel mill where the steel product is moved from the area of its formation to the finishing area;]

^{F2} ...

^{F2} ...

“tuberculosis” in the description of the disease numbered B5 in Part I of Schedule 1 to these regulations means disease due to tuberculous infection, but when used elsewhere in these

regulations in connection with pneumoconiosis means tuberculosis of the respiratory system only;

and other expressions have the same meanings as in the Act.

- (3) Unless the context otherwise requires, any reference in these regulations—
- (a) to a numbered section or Schedule is to the section of or, as the case may be, the Schedule to the Act bearing that number; and
 - (b) to a numbered regulation is a reference to the regulations bearing that number in these regulations, and any reference in a regulation to a numbered paragraph is a reference to the paragraph of that regulation bearing that number; and
 - (c) to any provision made by or contained in any enactment or instrument shall be construed as including a reference to any provision which it re-enacts or replaces, with or without modification.

[^{F9}(4) In these Regulations, any reference to death benefit shall be taken as including also a reference to any benefit in respect of which contribution conditions are taken as having been satisfied in accordance with paragraph 10 of Schedule 3 to the Social Security Act 1986.]

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| F1 | Words in reg. 1(2) inserted (4.7.1999) by The Social Security Act 1998 (Commencement No. 8, and Savings and Consequential and Transitional Provisions) Order 1999 (S.I. 1999/1958) , art. 4, Sch. 8 para. 1(a) |
| F2 | Words in reg. 1(2) revoked (4.7.1999) by The Social Security Act 1998 (Commencement No. 8, and Savings and Consequential and Transitional Provisions) Order 1999 (S.I. 1999/1958) , art. 4, Sch. 8 para. 1(b) |
| F3 | Words in reg. 1(2) inserted (10.10.1994) by The Social Security (Industrial Injuries) (Prescribed Diseases) Amendment Regulations 1994 (S.I. 1994/2343) , regs. 1, 2 |
| F4 | Words in reg. 1 omitted (19.4.1993) by virtue of The Social Security (Industrial Injuries) (Prescribed Diseases) Amendment Regulations 1993 (S.I. 1993/862) , regs. 1, 2(a) |
| F5 | Words in reg. 1(2) inserted (4.7.1999) by The Social Security Act 1998 (Commencement No. 8, and Savings and Consequential and Transitional Provisions) Order 1999 (S.I. 1999/1958) , art. 4, Sch. 8 para. 1(c) |
| F6 | Words in reg. 1(2) inserted (13.12.1990) by The Social Security (Industrial Injuries)(Prescribed Diseases) Amendment Regulations 1990 (S.I. 1990/2269) , regs. 1, 2(2) |
| F7 | Words in reg. 1 inserted (19.4.1993) by The Social Security (Industrial Injuries) (Prescribed Diseases) Amendment Regulations 1993 (S.I. 1993/862) , regs. 1, 2(b) |
| F8 | Word in reg. 1(2) inserted (6.4.2006) by The Social Security (Industrial Injuries) (Prescribed Diseases) Amendment Regulations 2006 (S.I. 2006/586) , regs. 1(1), 2(1) |
| F9 | Reg. 1(4) inserted (11.4.1988) by The Social Security (Industrial Injuries) (Miscellaneous Amendments) Regulations 1988 (S.I. 1988/553) , regs. 1, 5 |

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