
STATUTORY INSTRUMENTS

1985 No. 967

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

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) No disablement gratuity shall be payable in respect of pneumoconiosis, byssinosis or diffuse mesothelioma, but if in any case the extent of disablement is such that, when assessed in accordance with section 57 (disablement benefit), it amounts to less than 20 per cent, the beneficiary shall, subject to the proviso to section 57(6), be entitled to a disablement pension for the period taken into account by the assessment, payable, if such assessment does not exceed 10 per cent, at the weekly rate specified in Schedule 4 to the Benefit Regulations (rate of disablement pension payable in lieu of disablement gratuity) for a degree of disablement of less than 11 per cent but not less than 6 per cent, and in any other case at the weekly rate so specified for a degree of disablement of less than 20 per cent but not less than 16 per cent.

(2) Section 78(4)(b), in so far as it provides that disablement benefit shall not be payable in respect of byssinosis unless the claimant is found to be suffering from loss of faculty which is likely to be permanent, shall not apply.

(3) Notwithstanding paragraph 4(a) of Schedule 8 (period to be taken into account by an assessment of the extent of the claimant's disablement), the period to be taken into account by an assessment of the extent of the claimant's disablement in respect of byssinosis, if not limited by reference to the claimant's life, shall not be less than one year.