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## SCHEDULE 5

Regulation 44

### TRANSITIONAL PROVISIONS REGARDING DATES OF DEVELOPMENT AND DATES OF ONSET

1. In this Schedule the “date of development” has the meaning attributed to it by regulations 5 , 6, 7 and 56 of the old regulations.

2. Where a claim for benefit has been made before 6th April 1983, a date of development shall be determined and regulation 16 of the old regulations shall apply as if the old regulations were still in force.

3. Where a claim for benefit is made after 5th April 1983 and a date of onset is determined which is before 6th April 1983, regulation 16 of the old regulations shall apply as if the old regulations were still in force.

4. Where in pursuance of a claim made before 6th April 1983 a date of development has been determined and an award of benefit has been made these regulations shall have effect in relation to that claim and any subsequent claim made by or on behalf of the same person in respect of the same disease (except where under regulation 7 the disease is treated as having been contracted afresh) as if references to the date of onset were references to that date of development.

5. Subject to paragraph 6, where a claim for injury benefit for a day falling or a period beginning before 6th April 1983 is made after 5th April 1983 and no date of development or date of onset which can be treated as such for the purposes of that claim has already been determined, for the purpose only of determining the date on which the injury benefit period (if any) is to begin, a date of development shall be determined, so however that if it is later than 5th April 1983 no injury benefit period shall begin and injury benefit shall not be payable.

6. There shall be no entitlement, in the following cases, to benefit for any day which is earlier than the date specified:—

(a) in the case of a person who is or has been suffering from

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(i) viral hepatitis	2nd February 1976
(ii) angiosarcoma of the liver	21st March 1977
(iii) osteolysis of the terminal phalanges of the fingers	21st March 1977
(iv) carcinoma of the nasal cavity or associated air sinuses (nasal carcinoma)	8th August 1979
(v) occupational vitiligo	15th December 1980
[ <sup>F1</sup> (vi) occupational asthma arising otherwise than as described at (vii) below	29th March 1982;]
[ <sup>F1</sup> (vii) Occupational asthma which is due to exposure to antibiotics, cimetidine, wood dust, ispaghula, castor bean dust, ipecacuanha or azodicarbonamide	1st September 1986;]

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(b) in the case of a person who is or has been suffering from byssinosis but who has not been employed in employed earner's employment in any occupation mentioned in regulation 2(c) of the old regulations for a period or periods (whether before or after 5th July 1948) amounting in the aggregate to 5 years: 6th April 1979;

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- (c) in the case of a person who is or has been suffering from infection by leptospira but neither is nor has been either incapable of work or suffering from a loss of faculty as a result of infection by—
  - (i) leptospira icterohaemorrhagiae in the case of a person employed in employed earner's employment in any occupation involving work in places which are, or are liable to be, infested by rats, or
  - (ii) leptospira canicola in the case of a person employed in employed earner's employment in any occupation involving work at dog kennels or the care or handling of dogs: 7th January 1980.

**F1** Sch. 5(6)(vi)(vii) substituted for Sch.5(6)(vi) (1.9.1986) by [The Social Security \(Industrial Injuries and Adjudication\) Miscellaneous Amendments Regulations 1986 \(S.I. 1986/1374\)](#), regs. 1, **2(4)**

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