
STATUTORY INSTRUMENTS

1994 No. 2343

SOCIAL SECURITY

The Social Security (Industrial Injuries) (Prescribed Diseases) Amendment Regulations 1994

<i>Made</i>	- - - -	<i>7th September 1994</i>
<i>Laid before Parliament</i>		<i>13th September 1994</i>
<i>Coming into force</i>	- -	<i>10th October 1994</i>

The Secretary of State for Social Security, in exercise of the powers conferred by sections 108(2), 109(2), 122(1) and 175(1) and (3) of the Social Security Contributions and Benefits Act 1992(1), section 184 of the Social Security Administration Act 1992(2) and of all other powers enabling him in that behalf, after reference to the Industrial Injuries Advisory Council(3), hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Industrial Injuries) (Prescribed Diseases) Amendment Regulations 1994 and shall come into force on 10th October 1994.

(2) In these Regulations, “the principal Regulations” means the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations 1985(4).

Amendment of regulation 1 of the principal Regulations

2. In regulation 1(2) of the principal Regulations (interpretation) there shall be inserted in the appropriate places the following definitions—

““knock out and shake out grid” means a grid used for mechanically separating moulding sand from mouldings and castings;”;

““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;”.

(1) 1992 c. 4. Section 122 is cited for the definition which it ascribes to the word “prescribe”.

(2) 1992 c. 5.

(3) See section 172 of the Social Security Administration Act 1992.

(4) S.I.1985/967; the relevant amending instruments are S.I. 1987/2112, 1989/1207, 1990/2269 and 1993/861.

Insertion of regulation 14A into the principal Regulations

3. After regulation 14 of the principal Regulations (diseases contracted outside Great Britain), there shall be inserted the following regulation—

“Modification of paragraph 11(1) of Schedule 7 to the Social Security Contributions and Benefits Act 1992

14A. The provisions of paragraph 11(1) of Schedule 7 to the Social Security Contributions and Benefits Act 1992 shall be modified by adding after the words “(the day on which section 3 of the Social Security Act 1990 came into force)” the words

“and a person shall not be entitled to reduced earnings allowance—

- (i) in relation to a disease prescribed on or after 10th October 1994 under section 108(2) above; or
- (ii) in relation to a disease prescribed before 10th October 1994 whose prescription is extended on or after that date under section 108(2) above but only in so far as the prescription has been so extended””

Amendment of Schedule 1 to the principal Regulations

4.—(1) In Part I of Schedule 1 to the principal Regulations (list of prescribed diseases and the occupations for which they are prescribed) the second column of the entry relating to the disease numbered A10 (occupational deafness) shall be amended in accordance with the following provisions of this regulation.

(2) In sub-paragraph (a) for the words “cast metal (other than weld metal) or on billets or blooms” there shall be substituted the words “metal (other than sheet metal or plate metal)”.

(3) In sub-paragraph (c) after the word “coal” there shall be inserted the words “or in sinking shafts or for tunnelling in civil engineering works”.

(4) After sub-paragraph (c) there shall be inserted the following sub-paragraph—

“(ca) the use of pneumatic percussive tools on stone in quarry works, or work wholly or mainly in the immediate vicinity of those tools whilst they are being so used; or”.

(5) In sub-paragraph (i) after the word “forestry” there shall be inserted the words “; or” and after that sub-paragraph there shall be added the following sub-paragraphs—

- “(j) air arc gouging or work wholly or mainly in the immediate vicinity of air arc gouging; or
- (k) the use of band saws, circular saws or cutting discs for cutting metal in the metal founding or forging industries, or work wholly or mainly in the immediate vicinity of those tools whilst they are being so used; or
- (l) the use of circular saws for cutting products in the manufacture of steel, or work wholly or mainly in the immediate vicinity of those tools whilst they are being so used; or
- (m) the use of burners or torches for cutting or dressing steel based products, or work wholly or mainly in the immediate vicinity of those tools whilst they are being so used; or
- (n) work wholly or mainly in the immediate vicinity of skid transfer banks; or
- (o) work wholly or mainly in the immediate vicinity of knock out and shake out grids in foundries; or
- (p) mechanical bobbin cleaning or work wholly or mainly in the immediate vicinity of mechanical bobbin cleaning; or

- (q) the use of, or work wholly or mainly in the immediate vicinity of, vibrating metal moulding boxes in the concrete products industry; or
- (r) the use of, or work wholly or mainly in the immediate vicinity of, high pressure jets of water or a mixture of water and abrasive material in the water jetting industry (including work under water); or
- (s) work in ships' engine rooms; or
- (t) the use of circular saws for cutting concrete masonry blocks during manufacture, or work wholly or mainly in the immediate vicinity of those tools whilst they are being so used; or
- (u) burning stone in quarries by jet channelling processes, or work wholly or mainly in the immediate vicinity of such processes; or
- (v) work on gas turbines in connection with—
 - (i) performance testing on test bed;
 - (ii) installation testing of replacement engines in aircraft;
 - (iii) acceptance testing of Armed Service fixed wing combat planes; or
- (w) the use of, or work wholly or mainly in the immediate vicinity of—
 - (i) machines for automatic moulding, automatic blow moulding or automatic glass pressing and forming machines used in the manufacture of glass containers or hollow ware;
 - (ii) spinning machines using compressed air to produce glass wool or mineral wool;
 - (iii) continuous glass toughening furnaces.”.

Revocation of regulations 37, 38, 41 and 42 of the principal Regulations

5. Regulations 37, 38, 41 and 42 of the principal Regulations are hereby revoked.

Signed by authority of the Secretary of State for Social Security.

Department of Social Security
7th September 1994

William Hague
Minister of State,

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations 1985 (“the principal Regulations”) and come into force on 10th October 1994.

Regulation 3 modifies paragraph 11(1) of Schedule 7 to the Social Security Contributions and Benefits Act 1992 by removing entitlement to reduced earnings allowance in relation to a disease prescribed on or after 10th October 1994 or in relation to an extension of an existing prescribed disease on or after that date.

Regulation 4 adds to the occupations set against prescribed disease A10 (occupational deafness) listed in Schedule 1 to the principal Regulations and widens the definition of two of the listed occupations.

Regulation 5 revokes regulations 37, 38, 41 and 42 of the principal Regulations, which relate to initial and periodical medical examinations in relation to pneumoconiosis.

An assessment of the cost to business of applying these Regulations has been placed in the Libraries of both Houses of Parliament. Copies can be obtained by post from: DSS Deregulation Unit, The Adelphi, John Adam Street, London WC2N 6HT.