

WELFARE REFORM ACT 2012

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 3: Other benefit changes

Section 64: Injuries arising before 5th July 1948

325. *Section 64* repeals the legislation that maintains the existence of two separate schemes for providing State compensation for work injuries occurring before 1948.
326. At present there is separate provision for State compensation to be paid for accidents and diseases at work occurring before 5 July 1948 through the Workmen's Compensation (Supplementation) Scheme 1982 and the Pneumoconiosis Byssinosis and Miscellaneous Diseases Benefit Scheme 1983. These two schemes are known collectively as the "pre-1948 schemes". This legislation was left in place when the Industrial Injuries scheme was introduced in 1948.
327. This section will mean that all claims for State 'no-fault' compensation for work injuries will be dealt with as claims under the main Industrial Injuries Disablement Benefit (IIDB) scheme regardless of when the disease or accident occurred.
328. *Subsection (3)* enables the Secretary of State to provide in regulations for all claims – new and outstanding – under the pre-1948 schemes to be treated as claims under the equivalent IIDB scheme. It is intended that such regulations will result in all claims being made, decided and appealed under the same rules that apply to IIDB.