Draft Regulations laid before Parliament under section 7(3) of the Pneumoconiosis etc. (Workers' Compensation) Act 1979, for approval by resolution of each House of Parliament.

D R A F T S T A T U T O R Y I N S T R U M E N T S

2017 No.

SOCIAL SECURITY

The Pneumoconiosis etc. (Workers' Compensation) (Payment of Claims) (Amendment) Regulations 2017

Made - - - -	*2017*
Coming into force - -	*1st April 2017*

The Secretary of State for Work and Pensions makes the following Regulations, in exercise of the powers conferred by sections 1(1), (2) and (4) and 7(1) and (2) of the Pneumoconiosis etc. (Workers' Compensation) Act 1979(**a**).

In accordance with section 7(3)(**b**) of the Pneumoconiosis etc. (Workers' Compensation) Act 1979, a draft of this instrument was laid before Parliament and approved by resolution of each House of Parliament.

Citation, commencement and application

1.—(1) These Regulations may be cited as the Pneumoconiosis etc. (Workers' Compensation) (Payment of Claims) (Amendment) Regulations 2017 and come into force on 1st April 2017.

(2) These Regulations apply only in relation to any case in which a person first fulfils the conditions of entitlement to a payment under the Pneumoconiosis etc. (Workers' Compensation) Act 1979 on or after 1st April 2017.

Amendment of the Pneumoconiosis etc. (Workers' Compensation) (Payment of Claims) Regulations 1988

2.—(1) The Pneumoconiosis etc. (Workers' Compensation) (Payment of Claims) Regulations 1988(**c**) are amended as follows.

(2) In the proviso to regulation 5(1) (payment where death results from diffuse mesothelioma) for "£3,051" substitute "£3,082".

(3) In regulation 6(1)(a) (payment where pneumoconiosis is accompanied by tuberculosis) for "£6,312" (in both places) substitute "£6,375".

(4) In regulation 8 (minimum amount payable to dependant) for "£3,051" substitute "£3,082".

(5) In the Schedule—

(a) in the part headed "TABLE 1", for the table after the preamble substitute—

(**a**) 1979 c. 41. Section 1 was amended by section 24 of the Social Security Act 1985 (c. 53).
(**b**) Section 7(3) was amended by section 58 of the Welfare Reform Act 2007 (c. 5).
(**c**) S.I. 1988/668; S.I. 1989/552, S.I. 2013/690 and S.I. 2015/503 are the relevant amending instruments.

"*Age of disabled person*	*Percentage assessment for the relevant period*									
	10% or under £	*11% -20%* £	*21% -30%* £	*31% -40%* £	*41% -50%* £	*51% -60%* £	*61% -70%* £	*71% -80%* £	*81% -90%* £	*91% -100%* £
37 and under	35,666	63,695	74,732	76,857	78,979	80,677	82,376	84,075	85,772	87,473
38	34,648	61,144	72,481	75,075	77,278	78,979	80,677	82,376	84,075	85,772
39	33,628	58,596	70,231	73,289	75,584	77,055	78,979	80,677	82,376	84,075
40	32,612	56,046	67,981	71,503	73,879	75,582	77,278	78,979	80,677	82,378
41	31,592	53,502	65,733	69,716	72,188	73,879	75,582	77,278	78,979	80,677
42	30,566	50,957	63,480	67,943	70,487	72,188	73,879	75,582	77,278	78,979
43	29,045	47,980	61,230	66,581	69,300	71,339	73,034	74,732	76,432	78,132
44	27,513	45,009	58,976	65,224	68,110	70,487	72,188	73,879	75,582	77,278
45	25,988	42,037	56,727	63,862	66,923	69,634	71,339	73,034	74,732	76,432
46	24,458	39,067	54,479	62,506	65,733	68,791	70,487	72,188	73,879	75,582
47	22,932	36,092	52,226	61,144	64,545	67,943	69,634	71,339	73,034	74,732
48	21,614	34,904	50,447	58,429	62,506	65,558	67,261	68,959	70,652	72,358
49	20,297	33,715	48,662	55,710	60,469	63,182	64,882	66,581	68,281	69,981
50	18,981	32,527	46,912	52,994	58,429	60,804	62,506	64,202	65,898	67,599
51	17,664	31,337	45,092	50,274	56,387	58,429	60,142	61,821	63,524	65,224
52	16,348	30,147	43,311	47,556	54,349	56,046	57,751	59,447	61,144	62,840
53	15,115	28,028	40,591	45,180	52,312	54,349	56,046	57,751	59,447	61,144
54	13,884	25,904	37,874	42,807	50,274	52,655	54,349	56,046	57,751	59,447
55	12,656	23,781	35,162	40,422	48,234	50,957	52,655	54,349	56,046	57,751
56	11,421	21,655	32,441	38,047	46,199	49,254	50,957	52,655	54,349	56,046
57	10,191	19,530	29,725	35,666	44,168	47,557	49,254	50,957	52,655	54,349
58	9,383	17,750	26,543	32,012	39,744	42,888	44,713	46,499	48,235	49,934
59	8,576	15,964	23,353	28,366	35,327	38,214	40,168	42,037	43,820	45,516
60	7,774	14,180	20,169	24,712	30,916	33,546	35,620	37,580	39,407	41,106
61	6,962	12,398	16,987	21,060	26,496	28,874	31,080	33,121	34,989	36,687

62	6,156	10,616	13,801	17,408	22,081	24,203	26,543	28,664	30,566	32,272
63	5,732	9,596	12,398	15,565	19,642	21,737	23,949	25,988	27,853	29,552
64	5,317	8,576	10,997	13,714	17,195	19,279	21,360	23,313	25,134	26,833
65	4,884	7,558	9,596	11,871	14,758	16,815	18,768	20,638	22,422	24,120
66	4,461	6,541	8,194	10,019	12,316	14,350	16,178	17,959	19,703	21,401
67	4,036	5,520	6,791	8,174	9,874	11,893	13,590	15,284	16,987	18,684
68	3,925	5,345	6,560	7,837	9,535	11,421	13,057	14,820	16,451	18,131
69	3,822	5,181	6,330	7,496	9,197	10,956	12,529	14,350	15,926	17,576
70	3,715	5,014	6,092	7,156	8,855	10,485	11,998	13,884	15,391	17,029
71	3,611	4,838	5,860	6,813	8,513	10,019	11,468	13,418	14,864	16,477
72	3,504	4,671	5,626	6,477	8,174	9,557	10,932	12,950	14,328	15,926
73	3,416	4,588	5,543	6,349	8,045	9,343	10,722	12,613	13,908	15,456
74	3,334	4,501	5,456	6,222	7,922	9,127	10,512	12,275	13,482	14,978
75	3,251	4,420	5,373	6,092	7,789	8,917	10,296	11,932	13,057	14,519
76	3,163	4,328	5,285	5,966	7,663	8,708	10,087	11,593	12,628	14,058
77 and over	3,082	4,245	5,204	5,837	7,537	8,491	9,874	11,258	12,209	13,590”;

(b) in the part headed "TABLE 2", for the table after the preamble substitute—

"**Part A**

Age of disabled person on their last birthday before their death	*Percentage assessment for the relevant period*				
	10% or under £	*11%-20%* £	*21%-30%* £	*31%-49%* £	*50% or over* £
37 and under	22,591	38,517	43,186	44,463	45,522
38	22,082	37,072	41,911	43,186	44,543
39	21,574	35,628	40,637	41,910	43,566
40	21,059	34,182	39,363	40,637	42,590
41	20,551	32,740	38,089	39,363	41,614
42	20,046	31,301	36,815	38,089	40,637
43	19,126	29,430	35,667	36,942	39,703
44	18,216	27,556	34,518	35,797	38,760
45	17,304	25,689	33,374	34,649	37,832
46	16,389	23,819	32,129	33,502	36,898
47	15,477	21,951	31,086	32,360	35,966
48	14,780	21,442	30,238	31,467	34,819
49	14,074	20,932	29,384	30,575	33,670
50	13,375	20,421	28,538	29,678	32,526
51	12,677	19,914	27,689	28,792	31,383
52	11,976	19,406	26,839	27,899	30,238
53	11,654	18,216	25,227	26,667	29,298
54	11,337	17,026	23,609	25,436	28,367
55	11,020	15,837	21,996	24,206	27,433
56	10,702	14,648	20,382	22,976	26,492
57	10,191	13,463	18,768	21,742	25,561
58	9,383	12,609	16,925	19,580	22,976
59	8,576	11,758	15,078	17,410	20,382
60	7,774	10,916	13,226	15,245	17,794
61	6,962	10,063	11,383	13,080	15,202
62	6,156	9,218	9,531	10,916	12,609
63	5,732	9,152	9,409	10,507	11,869
64	5,317	8,576	9,276	10,106	11,134
65	4,884	7,558	9,152	9,701	10,381
66	4,461	6,541	8,194	9,299	9,640
67 and over	3,082	4,245	5,204	5,837	7,537

Part B

Age of disabled person on their last birthday before their death	*Payment £*
37 and under	45,522
38	44,543
39	43,566
40	42,590
41	41,614
42	40,637
43	39,703
44	38,760
45	37,832
46	36,898
47	35,966
48	34,819
49	33,670
50	32,526
51	31,383
52	30,238
53	29,298
54	28,367
55	27,433
56	26,492
57	25,561
58	22,976
59	20,382
60	17,794
61	15,202
62	12,609
63	11,869
64	11,134
65	10,381
66	9,640
67 and over	7,537".

Signed by authority of the Secretary of State for Work and Pensions

Name
Minister of State
Date Department for Work and Pensions

EXPLANATORY NOTE

(This note is not part of the Regulations)

Under the Pneumoconiosis etc. (Workers' Compensation) Act 1979 (c. 41) ("the Act") lump sum payments may be made to certain persons disabled by a disease to which the Act applies, or to dependants of persons who were so disabled before they died. The diseases to which the Act applies are pneumoconiosis, byssinosis, diffuse mesothelioma, primary carcinoma of the lung (where accompanied by asbestosis or diffuse pleural thickening) and diffuse pleural thickening.

These Regulations amend the Pneumoconiosis etc. (Workers' Compensation) (Payment of Claims) Regulations 1988 (S.I. 1988/668) ("the 1988 Regulations"). The amendments made by regulation

2 have the effect of increasing the amounts payable under the 1988 Regulations. The increase in each case is 1 per cent rounded up or down to the nearest £1 as appropriate.

By virtue of regulation 1(2), the amendments made by these Regulations apply only in relation to any case in which a person first fulfils the conditions of entitlement to a payment under the Act on or after 1st April 2017.

A full impact assessment has not been published for this instrument as it has no impact on the private sector or civil society organisations.

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