Regulation 2.

SCHEDULE

Description of disease or injury	Nature of occupation
36. Poisoning by beryllium ..	Any occupation involving the use or handling of, or exposure to the fumes, dust or vapour of, beryllium or a compound of beryllium, or a substance containing beryllium.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations extend insurance under the National Insurance (Industrial Injuries) Act, 1946, to poisoning by beryllium in the case of persons insurably employed in certain occupations involving the risk of such poisoning. The Regulations take the form of an addition to Part I of the First Schedule to the National Insurance (Industrial Injuries) (Prescribed Diseases) Regulations, 1948 (S.I. 1948 No. 1371).

The National Insurance (Industrial Injuries) (Prescribed Diseases) Amendment (No. 2) Regulations, 1949

1949 No. 1697

Made - - - -	12*th September*, 1949
Laid before Parliament	12*th September*, 1949
Coming into Operation	15*th September*, 1949

M.N.I./I.I. 122.

The Minister of National Insurance, in exercise of powers conferred by section 56 of the National Insurance (Industrial Injuries) Act, 1946(a), and of all other powers enabling him in that behalf, hereby makes the following regulations:—

Citation and commencement

1. These regulations, which may be cited as the National Insurance (Industrial Injuries) (Prescribed Diseases) Amendment (No. 2) Regulations, 1949, shall be read as one with the National Insurance (Industrial Injuries) (Prescribed Diseases) Regulations, 1948(b) (hereinafter referred to as "the principal regulations") as amended(c), and shall come into operation on the 15th day of September, 1949.

(a) 9 & 10 Geo. 6. c. 62. (b) S.I. 1948 (No. 1371) I, p. 3001.
(c) S.I. 1948 (No. 2723) I, p. 3022; and S.I. 1949 No. 230, p. 2765 above.

Amendment of regulation 24 of, and Second Schedule to, the principal regulations

2.—(1) The following regulation shall be substituted for regulation 24 of the principal regulations as amended(a):—

"*Reference of diagnosis and recrudescence questions for report*

24.—(1) In the following provisions of these regulations any question arising in connection with a claim for or award of injury benefit or disablement benefit—

(*a*) whether any person is suffering or has suffered from a prescribed disease, is referred to as a diagnosis question;

(*b*) whether a prescribed disease has, in fact, been contracted afresh, in a case where that question arises under the provisions of regulation 7 or 8, is referred to as a recrudescence question.

(2) Subject to the provisions of the next following regulation, if a diagnosis or recrudescence question arises in any case, the insurance officer shall forthwith refer that question for examination and report to one or more medical practitioners who, in the case of pneumoconiosis or byssinosis, shall be a member or members of a pneumoconiosis medical panel and shall have power, if he or they consider necessary, to make or cause to be made, a radiographic examination of the person's lungs."

(2) The following paragraph shall be substituted for paragraph 1 of the Second Schedule to the principal regulations as amended(a):—

"1. The following paragraph shall be added immediately after paragraph (*c*) of sub-section (1) of section 36:—

'(*d*) any question—

(i) whether a person is suffering or has suffered from a prescribed disease or injury;

(ii) whether a prescribed disease or injury suffered by a person who has previously been awarded benefit under this Act or who is or has been in receipt of compensation under the Workmen's Compensation Acts, 1925 to 1945, or under any contracting-out scheme duly certified thereunder, in respect of the same disease or injury, has been contracted or received afresh (if and in so far as regulations made under Part IV of this Act necessitate the determination of that question);

shall, if the question arises in connection with a claim for or award of injury benefit or disablement benefit, be determined by an insurance officer in the light of medical advice, or by a medical board, as provided by regulations.'"

Amendment of regulations 26 and 30 of the principal regulations

3.—(1) In paragraph (4) of regulation 26 of the principal regulations (which paragraph relates to the reference of a diagnosis or recrudescence question to a medical board where a disablement question arises), the words "respecting any living person" shall be omitted.

(a) *See* regulation 4(c), S.I. 1948 (No. 2723) I, p. 3024.

(2) In paragraph (1) of regulation 30 of the principal regulations (which relates to the review of any decision on a diagnosis or recrudescence question), the words " concerning any living person " shall be omitted.

Dated this 12th day of September, 1949.

James Griffiths,
Minister of National Insurance.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These regulations amend the National Insurance (Industrial Injuries) (Prescribed Diseases) Regulations by making the procedure for dealing with diagnosis and recrudescence questions arising in connection with injury or disablement benefit the same whether the person is alive or dead at the date when the question arises.

The National Insurance (Industrial Injuries) (Prescribed Diseases) Amendment (No. 3) Regulations, 1949

1949 No. 2316

Made - - - -	13*th December*, 1949
Laid before Parliament	14*th December*, 1949
Coming into Operation	19*th December*, 1949

M.N.I./I.I.123.

The Minister of National Insurance, in exercise of powers conferred by Sections 55 and 86 of the National Insurance (Industrial Injuries) Act, 1946(a), and of all other powers enabling him in that behalf, hereby makes the following regulations :—

Citation, interpretation and commencement

1. These regulations, which may be cited as the National Insurance (Industrial Injuries) (Prescribed Diseases) Amendment (No. 3) Regulations, 1949, shall be read as one with the National Insurance (Industrial Injuries) (Prescribed Diseases) Regulations, 1948(b) (hereinafter referred to as " the principal regulations ") as amended(c), and shall come into operation on the 19th December, 1949.

Amendment of Part I of First Schedule to the principal regulations

2. Part I of the First Schedule to the principal regulations as amended(d) shall be amended by the addition, at the end of the first and second columns thereof, respectively, of the diseases or injuries specified in the first column of the Schedule hereto, and of the occupations set against the said diseases or injuries in the second column of that Schedule.

(a) 9 & 10 Geo. 6. c. 62. (b) S.I. 1948 (No. 1371) I, p. 3001.
(c) S.I. 1948 (No. 2723) I, p. 3022; S.I. 1949 Nos. 230 and 1697, pp. 2765–6 above.
(d) *See* regulation 2, S.I. 1949 No. 1697, p. 2766 above.