STATUTORY INSTRUMENTS

1965 No. 1828

NATIONAL INSURANCE (INDUSTRIAL INJURIES)

The National Insurance (Industrial Injuries) (Prescribed Diseases) Amendment (No. 2) Regulations 1965

Made - - -	*22nd October* 1965
Laid before Parliament	*29th October* 1965
Coming into Operation	*1st November* 1965

The Minister of Pensions and National Insurance, in exercise of powers conferred by sections 56, 57, 58 and 85 of the National Insurance (Industrial Injuries) Act 1965(a), and of all other powers enabling her in that behalf, after reference to the Industrial Injuries Advisory Council, 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. 2) Regulations 1965, shall be read as one with the National Insurance (Industrial Injuries) (Prescribed Diseases) Regulations 1959(b) (hereinafter referred to as " the principal regulations ") as amended(c), and shall come into operation on 1st November 1965.

Amendment relating to byssinosis

2.—(1) Regulation 2 of the principal regulations (which relates to the prescription of diseases and injuries) shall be amended in accordance with the following paragraph of this regulation and shall accordingly have effect as set out in the Schedule to these regulations.

(2) In paragraph (*c*) of the said regulation 2 (which paragraph specifies the insured persons in relation to whom byssinosis is prescribed), after the words " of raw or waste cotton " there shall be inserted the words " or of flax ".

Transitional provisions

3.—(1) Where a person, who has been employed on or at any time after 5th July 1948 in insurable employment in any of the occupations included in regulation 2(*c*) of the principal regulations by virtue of the amendment made by the last foregoing regulation, is suffering from a loss of faculty as the result of byssinosis on the date on which these regulations come into operation, and the disease is due to the nature of that employment, the provisions of regulation 6 of the principal regulations (which relates to the date of development) shall be applied subject to the modification that the said date on which these regulations come into operation shall be treated as the day on which he first suffered from the relevant loss of faculty, and the date of development shall be determined accordingly.

(a) 1965 c. 52. (b) S.I. 1959/467 (1959 II, p. 1943).
(c) The amendments are not relevant to the subject matter of these Regulations.

(2) Where a person to whom the last foregoing paragraph applies is awarded disablement benefit in respect of byssinosis and claims an increase of that benefit under section 14 of the National Insurance (Industrial Injuries) Act 1965 (which section relates to increase of disablement pension in cases of special hardship) then, if at any time after having been employed as aforesaid but before the date on which these regulations come into operation that person has abandoned any occupation as a result of the disease, the fact that he has abandoned that occupation shall be disregarded in determining his regular occupation for the purposes of the said section 14.

Margaret Herbison,
Minister of Pensions and National Insurance.

22nd October 1965

Regulation 2

SCHEDULE

CONTAINING REGULATION 2(*c*) OF THE PRINCIPAL REGULATIONS AS AMENDED BY THESE REGULATIONS*

2. For the purposes of Part IV of the Act—

.....

(*c*) byssinosis is prescribed in relation to all insured persons who have been employed—

(i) in insurable employment at any time on or after the appointed day; and

(ii) for a period or periods (whether before or after the appointed day) amounting in the aggregate to not less than ten years;

in any occupation in any room where any process up to and including the carding process is performed in factories in which the spinning or manipulation of raw or waste cotton *or of flax* is carried on.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations, by amending regulation 2(*c*) of the National Insurance (Industrial Injuries) (Prescribed Diseases) Regulations 1959, which specifies the insured persons in relation to whom byssinosis is prescribed as an industrial disease; extend insurance, under the National Insurance (Industrial Injuries) Act 1965, against that disease to persons employed in certain rooms in flax mills.

The Regulations also contain transitional provisions relating to persons covered by the amendment who are already suffering from the disease on the date when the Regulations come into operation.

* The words inserted by these regulations are shown in italics.