STATUTORY INSTRUMENTS

1973 No. 1950

SOCIAL SECURITY

The National Insurance (Industrial Injuries) (Prescribed Diseases) Amendment Regulations 1973

Made - - - -	*21st November* 1973
Laid before Parliament	*29th November* 1973
Coming into Operation	*24th December* 1973

The Secretary of State for Social Services(a), in exercise of powers conferred by sections 56 and 85 of the National Insurance (Industrial Injuries) Act 1965(b) and section 57 of that Act as modified by section 8 of the National Insurance Act 1966(c), and section 5 of the National Insurance Act 1972(d), and of all other powers enabling him 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 Regulations 1973 shall be read as one with the National Insurance (Industrial Injuries) (Prescribed Diseases) Regulations 1959(e) as amended(f) (hereinafter referred to as "the principal regulations"), and shall come into operation on 24th December 1973.

Amendment of Part I of Schedule 1 *to the principal regulations*

2. Part I of Schedule 1 to the principal regulations shall be amended by the addition at the end of the first column of paragraph 39 of the words "or of the epithelial lining of the urethra" and the said paragraph shall accordingly have effect as set out in the Schedule to these regulations.

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 occupation referred to in the second column of paragraph 39 of Part I of Schedule 1 to the principal regulations is, as a result of primary neoplasm of the epithelial lining of the urethra, either incapable of work or suffering from a loss of faculty on the date on which these regulations come into operation, and the disease is due to the nature of the 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 date on which these regulations come into operation shall be treated as the first day on which he was incapable of work or, as the case may be, as the day on which he first suffered from the relevant loss of faculty, and the date of development shall be determined accordingly.

(a) For transfer of functions from the Minister of Pensions and National Insurance to (eventually) the Secretary of State, *see* Ministry of Social Security Act 1966 (c. 20) and S.I. 1968/1699 (1968 III, p. 4585).
(b) 1965 c. 52.
(c) 1966 c. 6.
(d) 1972 c. 57.
(e) S.I. 1959/467 (1959 II, p. 1943).
(f) The relevant amending instruments are S.I. 1965/1264, 1966/987, 1969/619, 1972/910, 1258, 1511 (1965 II, p. 3596; 1966 II, p. 2366; 1969 I, p. 1727; 1972 II, pp. 2862, 3768; III, p. 4455).

(2) Where a person to whom the last foregoing paragraph applies is awarded disablement benefit in respect of primary neoplasm of the epithelial lining of the urethra and claims an increase of that benefit under section 14 of the National Insurance (Industrial Injuries) Act 1965 (which section relates to increases of disablement pensions 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.

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

Paul Dean,
Parliamentary Under Secretary of State,
21st November 1973. Department of Health and Social Security.

Regulation 2 SCHEDULE

Containing paragraph 39 of Schedule 1 of the Principal Regulations as amended by these Regulations.*

Description of disease or injury	Nature of occupation
39. Primary neoplasm of the epithelial lining of the urinary bladder (Papilloma of the bladder), or of the epithelial lining of the renal pelvis or of the epithelial lining of the ureter *or of the epithelial lining of the urethra.*	(*a*) Work in a building in which any of the following substances is produced for commercial purposes:— (i) alpha-naphthylamine or beta-naphthylamine; (ii) diphenyl substituted by at least one nitro or primary amino group or by at least one nitro and primary amino group; (iii) any of the substances mentioned in sub-paragraph (ii) above if further ring substituted by halogeno, methyl or methoxy groups, but not by other groups; (iv) the salts of any of the substances mentioned in sub-paragraphs (i) to (iii) above; (v) auramine or magenta; Any occupation involving: (*b*) the use or handling of any of the substances mentioned in sub-paragraphs (i) to (iv) of paragraph (*a*), or work in a process in which any such substance is used or handled or is liberated; (*c*) the maintenance or cleaning of any plant or machinery used in any such process as is mentioned in paragraph (*b*), or the cleaning of clothing used in any such building as is mentioned in paragraph (*a*) if such clothing is cleaned within the works of which the building forms a part or in a laundry maintained and used solely in connection with such works.

*The words added by these Regulations are shown in italics.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations, by making an addition to the diseases prescribed in Part I of Schedule 1 to the National Insurance (Industrial Injuries) (Prescribed Diseases) Regulations 1959, extend insurance under the National Insurance (Industrial Injuries) Act 1965 to primary neoplasm of the epithelial lining of the urethra in the case of persons insurably employed in occupations involving the production of certain chemicals.

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

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