STATUTORY INSTRUMENTS

1967 No. 1233

SOCIAL SECURITY
WORKMEN'S COMPENSATION

The Pneumoconiosis, Byssinosis and Miscellaneous Diseases Benefit (Amendment) (No. 2) Scheme 1967

Made - - -	11*th August* 1967
Laid before Parliament	21*st August* 1967
Coming into Operation -	
Article 4 - -	31*st October* 1967
Remainder - -	31*st August* 1967

The Minister of Social Security, with the consent of the Treasury, in exercise of the powers conferred by section 5 of the Industrial Injuries and Diseases (Old Cases) Act 1967(**a**) and sections 3(1)(*b*) and 3(2) of the National Insurance Act 1967(**b**) and of all other powers enabling her in that behalf hereby makes, in consequence of the National Insurance Act 1967, the following Scheme:—

Citation, interpretation and commencement

1.—(1) This Scheme which may be cited as the Pneumoconiosis, Byssinosis and Miscellaneous Diseases Benefit (Amendment) (No. 2) Scheme 1967 shall be read as one with the Pneumoconiosis, Byssinosis and Miscellaneous Diseases Benefit Scheme 1966(**c**), as amended (**d**) (hereinafter referred to as "the principal Scheme") and subject to the provisions of the next following paragraph, shall come into operation on 31st August 1967.

(2) Article 4 of this Scheme shall come into operation on 31st October 1967.

Amendment of Schedule 1 *to the principal Scheme*

2. Schedule 1 to the principal Scheme shall be amended by the addition at the end of the first and second columns thereof respectively, of the diseases specified in the first column of the Schedule hereto and of the occupations set against the said diseases in the second column of that Schedule.

Amendment of Article 2 *of the principal Scheme*

3. In Article 2 of the principal Scheme (benefit payable) for sub-paragraph (*b*) of paragraph (1) there shall be substituted the following paragraph:—

"(*b*) who is a person who is totally or partially disabled (such disablement being likely to be permanent) as a result of any of the diseases set out in the first column of Schedule 1 hereto, or who dies or has died at any time after 31st December 1949 as a result of any of the diseases numbered 1 and 2 or at any time after 27th July 1967 as a result of any of the diseases numbered 3, 4 and 5 in the said first column of Schedule 1 hereto, if he was a person who has been employed in Great Britain before 5th July 1948 in any of the occupations set against that disease in the second column of that Schedule; or".

(**a**) 1967 c. 34. (**b**) 1967 c. 73. (**c**) S.I. 1966/164 (1966 I, p. 303).
(**d**) The amendments are not relevant to the subject matter of this Scheme.

Amendment of Article 4 of the principal Scheme

4. In paragraph (1)(*a*)(ii) of Article 4 of the principal Scheme (allowance for partial disablement) for the sum "50s." there shall be substituted the sum "55s.".

Transitional provision

5. In Article 21(2) of the principal Scheme (time for claiming death benefit), where any person has died at any time after 27th July but before 31st August 1967 as a result of any of the diseases numbered 3, 4 and 5 in the first column of Schedule 1 hereto, for the day of the death of that person there shall be substituted 31st August 1967.

Judith Hart,
Minister of Social Security.

9th August 1967.

We consent.

E. Alan Fitch,
Joseph Harper,
Two of the Lords Commissioners of Her Majesty's Treasury.

11th August 1967.

Article 2 SCHEDULE

Description of disease	Nature of occupation
3. (*a*) Carcinoma of the mucous membrane of the nose or associated air sinuses. (*b*) Primary carcinoma of a bronchus or of a lung.	Any occupation involving: Work in a factory where nickel is produced by decomposition of a gaseous nickel compound which necessitates working in or about a building or buildings where that process or any other industrial process ancillary or incidental thereto is carried on.
4. Primary neoplasm of the epithelial lining of the urinary bladder (papilloma of the bladder), of the epithelial lining of the renal pelvis or of the epithelial lining of the ureter.	(*a*) Work in a building in which any of the following substances is produced for commercial purposes- (i) alpha-naphthylamine or betanaphthylamine; (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; (*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.
5. Primary malignant neoplasm of the mesothelium (diffuse mesothelioma) of the pleura or of the peritoneum.	(*a*) The working or handling of asbestos or any admixture of asbestos; (*b*) the manufacture or repair of asbestos textiles or other articles containing or composed of asbestos; (*c*) the cleaning of any machinery or plant used in any of the foregoing operations and of any chambers, fixtures and appliances for the collection of asbestos dust; (*d*) substantial exposure to the dust arising from any of the foregoing operations.

EXPLANATORY NOTE

(This Note is not part of the Scheme.)

This Scheme amends the Pneumoconiosis, Byssinosis and Miscellaneous Diseases Benefit Scheme 1966 so as to give effect to certain provisions of the National Insurance Act 1967. Article 2 adds to the diseases in respect of which benefit is payable under the 1966 Scheme three further diseases which are malignant or potentially malignant neoplasms. Article 4 increases the weekly rate of allowance payable in respect of partial disablement.

The Scheme is made in consequence of the Act of 1967 and accordingly by virtue of section 7(3) of and Schedule 7 to that Act no draft of this Scheme has been laid before Parliament.