STATUTORY INSTRUMENTS

1977 No. 380

SOCIAL SECURITY

The Pneumoconiosis, Byssinosis and Miscellaneous Diseases Benefit (Amendment) Scheme 1977

Made - - - -	*4th March* 1977
Laid before Parliament	11*th March* 1977
Coming into Operation	4*th April* 1977

The Secretary of State for Social Services, with the consent of the Treasury, in exercise of powers conferred by sections 4, 5, 7 and 8 of the Industrial Injuries and Diseases (Old Cases) Act 1975 (**a**), as amended by section 21 (1) of, and paragraph 39 of Schedule 4 to, the Child Benefit Act 1975 (**b**) and of all other powers enabling him in that behalf, in consequence of the Child Benefit Act 1975, and for the purpose of replacing provisions of previous schemes with new provisions to the same effect, hereby makes the following scheme:—

Citation, commencement and interpretation

1. This scheme, which may be cited as the Pneumoconiosis, Byssinosis and Miscellaneous Diseases Benefit (Amendment) Scheme 1977, 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 shall come into operation on 4th April 1977 immediately after the Social Security Benefit (Dependency) Regulations 1977 (**e**) come into operation.

Amendment of the principal scheme

2.—(1) The principal scheme shall be amended in accordance with the following provisions.

(2) In article 1(2) (interpretation)—

(*a*) before the definition of "the Industrial Injuries Act" there shall be inserted the following definition: —
"the Social Security Act" means the Social Security Act 1975(**f**); and

(*b*) after the definition of "allowance" there shall be inserted the following definition: —
"child benefit" means benefit under Part I of the Child Benefit Act 1975.

(**a**) 1975 c. 16. (**b**) 1975 c. 61. (**c**) S.I. 1966/164 (1966 I, p. 303).
(**d**) The amending instruments are not relevant to the subject matter of this scheme.
(**e**) S.I. 1977/343 (1977 I, p. 1057).
(**f**) 1975 c. 14.

(3) In article 6 (increase of allowances in respect of children)—

(*a*) for the words "has a family which includes a child or children within the meaning of Section 17 of the Industrial Injuries Act" there shall be substituted the words "is entitled to child benefit in respect of a child or children within the meaning of sections 64 and 65 of the Social Security Act";

(*b*) for the words "the said Section 17" there shall be substituted the words "the said sections 64 and 65"; and

(*c*) for the words "the Industrial Injuries Act or the National Insurance Act 1965" there shall be substituted the words "the Social Security Act".

(4) In article 15 (reference of questions for determination under the Industrial Injuries Act)—

(*a*) for the words "the Industrial Injuries Act" wherever those words occur there shall be substituted the words "the Social Security Act";

(*b*) in article 15(1)(*b*) for the words "the amounts specified in regulation 9 of the Benefit Regulations "there shall be substituted the words "the amount referred to in regulation 8(1) of the Social Security Benefit (Dependency) Regulations 1977 (**a**)" and

(*c*) for article 15(1)(*c*) there shall be substituted the following sub-paragraph: —

"any question whether a person is or was entitled to child benefit in respect of a person (or would under the provisions of regulations made under Part II of the Social Security Act be treated as being so entitled) and any question whether the requirements of section 65(1) and (2) of the Social Security Act are satisfied;".

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

Stanley Orme,

Minister for Social Security,
Department of Health and Social Security.

1st March 1977.

We consent

J. Dormand,

Donald R. Coleman,

Two of the Lords Commissioners of
Her Majesty's Treasury.

4th March 1977.

(a) S.I. 1977/343 (1977 I, p. 1057).

EXPLANATORY NOTE

(This Note is not part of the Scheme.)

This Scheme which is made in consequence of the Child Benefit Act 1975, substitutes references to a person entitled to child benefit for reference to a family which includes a child where the latter expression appears in articles 6 and 15 of the Pneumoconiosis, Byssinosis and Miscellaneous Diseases Benefit Scheme 1966. It also substitutes, in those articles, for references to superseded Acts and regulations, references to the Acts and regulations which have replaced them.

SI 1977/380
ISBN 0-11-070380-4

