STATUTORY INSTRUMENTS

1987 No. 400

SOCIAL SECURITY

The Pneumoconiosis, Byssinosis and Miscellaneous Diseases Benefit (Amendment) Scheme 1987

Made - - - -	*10th March 1987*
Laid before Parliament	*11th March 1987*
Coming into force	*1st April 1987*

The Secretary of State for Social Services, with the consent of the Treasury, in exercise of the powers conferred upon him by section 5 of the Industrial Injuries and Diseases (Old Cases) Act 1975(a) and of all other powers enabling him in that behalf by this instrument, which is made for the purpose only of making provision consequential on the making of an order or regulations under the Social Security Acts 1975 to 1986, makes the following Scheme:

Citation, interpretation and commencement

1. This Scheme, which may be cited as the Pneumoconiosis, Byssinosis and Miscellaneous Diseases Benefit (Amendment) Scheme 1987, shall be read as one with the Pneumoconiosis, Byssinosis and Miscellaneous Diseases Benefit Scheme 1983(b) (hereinafter referred to as "the principal Scheme") and shall come into force on 1st April 1987.

Addition of lung cancer to Schedule 1 to the principal Scheme

2. In Schedule 1 to the principal Scheme after the disease numbered 8 (primary carcinoma of the lung) there shall be inserted–

(a) in the first column the words "9. Lung cancer"; and

(b) in the second column, the words–

"(a) Work underground in a tin mine; or

(b) exposure to bis (chloromethyl) ether produced during the manufacture of chloromethyl methyl ether; or

(c) exposure to zinc chromate, calcium chromate or strontium chromate in their pure forms.".

Amendment of Schedule 4 to the principal Scheme

3. Schedule 4 to the principal Scheme shall be amended by the addition of "9" at the end of the first column thereof and of "1st April 1987" at the end of the second column thereof.

Amendment of article 5 of and Schedule 2 to the principal Scheme

4. Article 5 of and Schedule 2 to the principal Scheme shall be amended by substituting

(a) 1975 c.16.
(b) S.I. 1983/136.

(a) for the word "wife" wherever it appears the word "spouse";
(b) for the words "his" and "her" wherever they appear the words "his or her"; and
(c) for the word "he" wherever it appears the words "he or she".

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

John Major
9th March 1987 Minister of State, Department of Health and Social Security

Michael Neubert
Mark Lennox Boyd
10th March 1987 Two of the Lords Commissioners of Her Majesty's Treasury

---

EXPLANATORY NOTE

(This note is not part of the Scheme)

This Scheme, which comes into force on 1st April 1987, adds lung cancer to the list of diseases in respect of which benefit is payable under the Pneumoconiosis, Byssinosis and Miscellaneous Diseases Benefit Scheme 1983.

In accordance with the EEC Directive 79/7/EEC (equal treatment of men and women in social security matters) the principal Scheme is extended to provide that a wife may receive an increase of disablement allowance in respect of her husband.

Articles 2 and 3 are consequential upon the Social Security (Industrial Injuries) (Prescribed Diseases) Amendment Regulations 1987 (S.I. 1987/335) which added lung cancer to the list of industrial diseases prescribed for the purposes of Chapter V of Part II of the Social Security Act 1975.

Article 4 is consequential upon the Social Security Act 1986 (Commencement No. 1) Order 1986 (S.I. 1986/1609) which appoints 1 October 1986 as the day for the coming into force of paragraph 68 of Schedule 10 to the Social Security Act 1986 and of section 86(1) in relation to that paragraph. Paragraph 68 changes the references in section 7 of the Industrial Injuries and Diseases (Old Cases) Act 1975 from "wife" to "spouse".

45p net

ISBN 0 11 076400 5

Printed for Her Majesty's Stationery Office by Albert Gait Ltd. 880/G 8491/1150 WO 0403 C15 3/87