STATUTORY RULES OF NORTHERN IRELAND

2020 No. 26

SOCIAL SECURITY

The Pneumoconiosis, etc., (Workers' Compensation) (Payment of Claims) (Amendment) Regulations (Northern Ireland) 2020

Made - - - - 6th March 2020

Affirmed by resolution of the Assembly on 23rd March 2020

Coming into operation in accordance with regulation 1(1)

The Department for Communities makes the following Regulations in exercise of the powers conferred by Articles 3(3), 4(3) and 11(1) and (4) of the Pneumoconiosis, etc., (Workers' Compensation) (Northern Ireland) Order 1979(**a**) and now vested in it(**b**).

Citation, commencement and application

1.—(1) These Regulations may be cited as the Pneumoconiosis, etc., (Workers' Compensation) (Payment of Claims) (Amendment) Regulations (Northern Ireland) 2020 and shall come into operation on 1st April 2020 or the day after they are affirmed by resolution of the Assembly if later.

(2) These Regulations apply only in relation to any case in which a person first satisfies the conditions of entitlement to a payment under the Pneumoconiosis, etc., (Workers' Compensation) (Northern Ireland) Order 1979 on or after the day on which these Regulations come into operation.

Amendment of the Pneumoconiosis, etc., (Workers' Compensation) (Payment of Claims) Regulations

2.—(1) The Pneumoconiosis, etc., (Workers' Compensation) (Payment of Claims) Regulations (Northern Ireland) 1988(**c**) are amended in accordance with paragraphs (2) to (4).

(2) In regulation 5(2) (payment where death results from diffuse mesothelioma) and regulation 7 (minimum amount payable to dependant) for"£3,051" substitute "£3,305".

(**a**) S.I. 1979/925 (N.I. 9); Articles 3 and 4 were amended by Article 22(a) and (b) of the Social Security (Northern Ireland) Order 1985 (S.I. 1985/1209 (N.I. 16)), paragraph 17(2) to (4) of Schedule 3 to the Social Security (Northern Ireland) Order 1986 (S.I. 1986/1888 (N.I. 18)) and paragraphs 4 and 5 of Schedule 2 to the Mesothelioma Act 2014 (c.1); Article 3 was amended by section 52(3) of the Welfare Reform Act (Northern Ireland) 2007 (c. 2 (N.I.)) and Article 4 was amended by Part 6 of Schedule 12 to the Welfare Reform (Northern Ireland) Order 2015 (S.I. 2015/2006 (N.I. 1))

(**b**) *See* Article 4(b) of S.R. 1999 No. 481, the Department for Employment and Learning Act (Northern Ireland) 2001 (c. 15 (N.I.)), Article 3 of S.R. 2006 No. 192 and section 1(7) of the Departments Act (Northern Ireland) 2016 (c.5 (N.I.))

(**c**) S.R. 1988 No. 242; relevant amending Regulations are S.R. 2008 No. 352 and S.R. 2015 No. 64

(3) In regulation 6(1)(a) (payment where pneumoconiosis is accompanied by tuberculosis) for "£6,312", in both places, substitute "£6,838".

(4) In the Schedule—

(a) for Table 1, after the preamble, substitute the Table set out in Part 1 of the Schedule to these Regulations; and

(b) in Table 2 for Parts A and B substitute Parts A and B set out in Part 2 of the Schedule to these Regulations.

Sealed with the Official Seal of the Department for Communities on 6th March 2020

(L.S.)

Anne McCleary
A senior officer of the Department for Communities

SCHEDULE

Regulation 2(4)

PART 1

"**TABLE 1**

Age of disabled person	*Percentage assessment for the relevant period*									
	10% or under	*11% - 20%*	*21% - 30%*	*31% - 40%*	*41% - 50%*	*51% - 60%*	*61% - 70%*	*71% - 80%*	*81% - 90%*	*91% - 100%*
	£	£	£	£	£	£	£	£	£	£
37 and under	38,258	68,323	80,161	82,441	84,716	86,538	88,360	90,182	92,003	93,827
38	37,164	65,585	77,747	80,529	82,892	84,716	86,538	88,360	90,182	92,003
39	36,071	62,853	75,333	78,614	81,075	82,654	84,716	86,538	88,360	90,182
40	34,981	60,117	72,919	76,698	79,246	81,072	82,892	84,716	86,538	88,362
41	33,887	57,389	70,509	74,780	77,432	79,246	81,072	82,892	84,716	86,538
42	32,787	54,660	68,091	72,879	75,608	77,432	79,246	81,072	82,892	84,716
43	31,155	51,465	65,679	71,418	74,335	76,521	78,340	80,161	81,984	83,808
44	29,511	48,279	63,260	69,962	73,058	75,608	77,432	79,246	81,072	82,892
45	27,876	45,091	60,848	68,502	71,785	74,693	76,521	78,340	80,161	81,984
46	26,236	41,905	58,437	67,047	70,509	73,789	75,608	77,432	79,246	81,072
47	24,598	38,714	56,020	65,585	69,234	72,879	74,693	76,521	78,340	80,161
48	23,184	37,440	54,112	62,674	67,047	70,321	72,148	73,969	75,786	77,615
49	21,772	36,164	52,198	59,757	64,862	67,772	69,595	71,418	73,241	75,065
50	20,359	34,890	50,320	56,844	62,674	65,221	67,047	68,866	70,686	72,510
51	18,948	33,614	48,369	53,926	60,484	62,674	64,511	66,312	68,139	69,962
52	17,535	32,337	46,458	51,012	58,296	60,117	61,948	63,766	65,585	67,405
53	16,213	30,065	43,540	48,462	56,112	58,296	60,117	61,948	63,766	65,585
54	14,893	27,785	40,625	45,917	53,926	56,481	58,296	60,117	61,948	63,766
55	13,576	25,508	37,716	43,359	51,738	54,660	56,481	58,296	60,117	61,948
56	12,251	23,228	34,798	40,811	49,555	52,833	54,660	56,481	58,296	60,117
57	10,932	20,949	31,885	38,258	47,377	51,013	52,833	54,660	56,481	58,296
58	10,064	19,040	28,471	34,337	42,631	46,004	47,961	49,877	51,739	53,561
59	9,199	17,124	25,050	30,427	37,893	40,990	43,086	45,091	47,004	48,822
60	8,338	15,210	21,635	26,507	33,161	35,982	38,209	40,310	42,270	44,092
61	7,468	13,298	18,222	22,591	28,421	30,972	33,337	35,528	37,531	39,353

Age of disabled person	*Percentage assessment for the relevant period*									
	10% or under	*11% - 20%*	*21% - 30%*	*31% - 40%*	*41% - 50%*	*51% - 60%*	*61% - 70%*	*71% - 80%*	*81% - 90%*	*91% - 100%*
	£	£	£	£	£	£	£	£	£	£
62	6,603	11,386	14,803	18,672	23,685	25,961	28,471	30,747	32,787	34,617
63	6,149	10,293	13,298	16,696	21,069	23,316	25,688	27,876	29,877	31,700
64	5,703	9,199	11,796	14,710	18,444	20,680	22,912	25,006	26,960	28,782
65	5,240	8,108	10,293	12,733	15,831	18,036	20,132	22,137	24,051	25,872
66	4,785	7,016	8,790	10,748	13,210	15,393	17,353	19,264	21,134	22,956
67	4,329	5,921	7,285	8,768	10,591	12,757	14,578	16,395	18,222	20,042
68	4,210	5,733	7,037	8,407	10,228	12,251	14,006	15,897	17,647	19,448
69	4,100	5,557	6,789	8,040	9,865	11,752	13,440	15,393	17,084	18,852
70	3,985	5,378	6,535	7,676	9,499	11,246	12,870	14,893	16,509	18,266
71	3,873	5,190	6,286	7,307	9,131	10,748	12,301	14,394	15,944	17,673
72	3,759	5,010	6,035	6,947	8,768	10,251	11,726	13,891	15,369	17,084
73	3,663	4,921	5,945	6,810	8,629	10,022	11,501	13,529	14,918	16,579
74	3,576	4,828	5,853	6,675	8,498	9,791	11,275	13,166	14,461	16,066
75	3,487	4,741	5,763	6,535	8,356	9,565	11,045	12,799	14,006	15,574
76	3,393	4,643	5,670	6,399	8,219	9,340	10,820	12,436	13,545	15,080
77 and over	3,305	4,553	5,582	6,261	8,084	9,108	10,591	12,076	13,096	14,578”

PART 2

“**PART A**

Age of disabled person at his last birthday preceding death	*Percentage assessment for the relevant period*				
	10% or under	*11% - 20%*	*21% - 30%*	*31% - 49%*	*50% or over*
	£	£	£	£	£
37 and under	24,232	41,316	46,324	47,693	48,829
38	23,686	39,765	44,955	46,324	47,779
39	23,141	38,217	43,590	44,954	46,731
40	22,590	36,665	42,223	43,590	45,685
41	22,044	35,118	40,857	42,223	44,637
42	21,502	33,575	39,489	40,857	43,590
43	20,516	31,569	38,259	39,625	42,587
44	19,539	29,558	37,026	38,398	41,576
45	18,561	27,556	35,798	37,166	40,580
46	17,580	25,550	34,463	35,936	39,579
47	16,602	23,547	33,344	34,711	38,579
48	15,853	22,999	32,434	33,753	37,349
49	15,096	22,452	31,519	32,796	36,116
50	14,347	21,905	30,611	31,834	34,889
51	13,597	21,360	29,700	30,884	33,663
52	12,846	20,816	28,788	29,926	32,434
53	12,501	19,539	27,060	28,604	31,426

Age of disabled person at his last birthday preceding death	*Percentage assessment for the relevant period*				
	10% or under	*11% - 20%*	*21% - 30%*	*31% - 49%*	*50% or over*
	£	£	£	£	£
54	12,160	18,263	25,324	27,284	30,428
55	11,821	16,987	23,594	25,964	29,426
56	11,480	15,712	21,862	24,645	28,417
57	10,932	14,441	20,132	23,321	27,418
58	10,064	13,525	18,154	21,002	24,645
59	9,199	12,613	16,173	18,674	21,862
60	8,338	11,709	14,187	16,352	19,087
61	7,468	10,794	12,209	14,030	16,307
62	6,603	9,888	10,224	11,709	13,525
63	6,149	9,817	10,093	11,270	12,731
64	5,703	9,199	9,949	10,840	11,943
65	5,240	8,108	9,817	10,406	11,135
66	4,785	7,016	8,790	9,975	10,340
67 and over	3,305	4,553	5,582	6,261	8,084

PART B

Age of disabled person at his last birthday preceding death	*Payment* £
37 and under	48,829
38	47,779
39	46,731
40	45,685
41	44,637
42	43,590
43	42,587
44	41,576
45	40,580
46	39,579
47	38,579
48	37,349
49	36,116
50	34,889
51	33,663
52	32,434
53	31,426
54	30,428
55	29,426
56	28,417
57	27,418
58	24,645
59	21,862
60	19,087
61	16,307
62	13,525
63	12,731
64	11,943
65	11,135

66	10,340
67 and over	8,084”

EXPLANATORY NOTE

(This note is not part of the Regulations)

Under the Pneumoconiosis, etc., (Workers' Compensation) (Northern Ireland) Order 1979 ("the Order") lump sum payments may be made to certain persons disabled by a disease to which the Order applies, or to dependants of persons who were so disabled before they died.

The diseases to which the Order applies are pneumoconiosis, byssinosis, diffuse mesothelioma, primary carcinoma of the lung (where accompanied by asbestosis or diffuse pleural thickening) and diffuse pleural thickening.

These Regulations amend the Pneumoconiosis, etc., (Workers' Compensation) (Payment of Claims) Regulations (Northern Ireland) 1988 to increase amounts payable under the Order.

By virtue of regulation 1(2), the amendments made by these Regulations apply only in relation to any case in which a person first fulfils the conditions of entitlement to a payment under the Act on or after the day on which these Regulations come into operation.

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£4.90

N0026 03/2020 70134T 19585

www.legislation.gov.uk/nisr/2020/26

ISBN 978-0-337-60004-3

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