STATUTORY INSTRUMENTS

1979 No. 265

SOCIAL SECURITY

The Social Security (Industrial Injuries) (Prescribed Diseases) Amendment (No. 2) Regulations 1979

Made - - - -	*8th March* 1979
Laid before Parliament	*16th March* 1979
Coming into Operation	*6th April* 1979

The Secretary of State for Social Services, in exercise of the powers conferred upon him by section 76 of the Social Security Act 1975(**a**) 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 Social Security (Industrial Injuries) (Prescribed Diseases) Amendment (No. 2) Regulations 1979, shall be read as one with the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations 1975(**b**) (hereinafter referred to as "the principal regulations"), and shall come into operation on 6th April 1979.

Amendment of regulation 2 of the principal regulations

2. Regulation 2 of the principal regulations (prescription of diseases and occupations for which they are prescribed) shall be amended by the substitution for paragraph (*c*) of the following paragraph, namely:—

> "(*c*) byssinosis is prescribed in relation to all persons who have been employed in employed earner's employment at any time on or after 5th July 1948 in any occupation in any room where any process up to and including the winding or beaming process is performed in factories in which the spinning or manipulation of raw or waste cotton or of flax is carried on;".

Transitional provisions

3.—(1) Where a person, in relation to whom byssinosis is prescribed by virtue of the amendment of regulation 2 of the principal regulations made by regulation 2 of these regulations, is suffering from a loss of faculty as a result of byssinosis on the date on which these regulations come into operation, the provisions of regulation 6 of the principal regulations (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 day on which he first suffered from the relevant loss of faculty, and the date of development shall be determined accordingly.

(**a**) 1975 c. 14.
(**b**) S.I. 1975/1537, to which there are amendments not relevant to these regulations.

(2) Where a person to whom paragraph (1) above applies is awarded disablement benefit in respect of byssinosis and claims an increase of that benefit under section 60 of the Social Security Act 1975 (increase of disablement pension for special hardship) then, if at any time after having been employed as mentioned in regulation 2(*c*) of the principal regulations as amended by regulation 2 of these regulations 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 60.

David Ennals,
Secretary of State for Social Services.

8th March 1979.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend regulation 2 of the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations 1975 so that, for the purpose of deciding whether byssinosis is a prescribed disease in relation to a person, it is no longer necessary that he should have been employed for a specific minimum period in an occupation prescribed in relation to byssinosis. There are transitional provisions relating to persons covered by the amendment who are already suffering from the disease when the Regulations come into operation.

SI 1979/265
ISBN 0-11-093265-X

