STATUTORY RULES OF NORTHERN IRELAND

2008 No. 258

SOCIAL SECURITY

The Social Security (Industrial Injuries) (Prescribed Diseases) (Amendment No. 2) Regulations (Northern Ireland) 2008

Made - - - -	*20th June 2008*
Coming into operation -	*21st July 2008*

The Department for Social Development makes the following Regulations in exercise of the powers conferred by sections 108(2) and 171(1), (3) and (4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**a**) and now vested in it(**b**).

It is satisfied of the matters referred to in section 108(2)(a) and (b) of that Act.

Citation and commencement

1. These Regulations may be cited as the Social Security (Industrial Injuries) (Prescribed Diseases) (Amendment No. 2) Regulations (Northern Ireland) 2008 and shall come into operation on 21st July 2008.

Amendment of the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations

2. In the entry relating to prescribed disease D12 in Part I of Schedule 1 to the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations (Northern Ireland) 1986(**c**) (list of prescribed diseases and the occupations for which they are prescribed)—

(a) in the first column omit "accompanying"; and

(b) for the entry in the second column substitute—

"Exposure to coal dust (whether before or after 5th July 1948) by reason of working—

(a) underground in a coal mine for a period or periods amounting in aggregate to at least 20 years;

(b) on the surface of a coal mine as a screen worker for a period or periods amounting in aggregate to at least 40 years before 1st January 1983; or

(c) both underground in a coal mine, and on the surface as a screen worker before 1st January 1983, where 2 years working as a surface screen worker is equivalent to one year working underground, for periods amounting in aggregate to at least the equivalent of 20 years underground,

(**a**) 1992 c. 7; section 171(1) was amended by paragraph 5 of Schedule 4 to the Tax Credits Act 2002 (c. 21)
(**b**) *See* Article 8(b) of S.R. 1999 No. 481
(**c**) S.R. 1986 No. 179; prescribed disease D12 was inserted by regulation 7 of S.R. 1993 No. 350, substituted by regulation 2(4)(d) of S.R. 1997 No. 158 and amended by regulation 2(6)(c) of S.R. 2000 No. 214

and any such period or periods shall include a period or periods of incapacity while engaged in such an occupation.".

Revocation

3. Regulation 2(4)(d)(ii) of the Social Security (Industrial Injuries) (Miscellaneous Amendments) Regulations (Northern Ireland) 1997(**a**) is revoked.

Sealed with the Official Seal of the Department for Social Development on 20th June 2008

(L.S.)

John O'Neill
A senior officer of the Department for Social Development

EXPLANATORY NOTE

(This note is not part of the Regulations)

Regulation 2 of these Regulations amends prescribed disease D12 (chronic bronchitis or emphysema) in Part I of Schedule 1 to the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations (Northern Ireland) 1986 to—

give greater clarity to the description of the disease by omitting the word "accompanying"; and

amend the job description—

to include exposure to coal dust during screen work at the surface of the mine, for a period of 40 years in aggregate, where the exposure has taken place before 1st January 1983; and

so that time spent as a screen worker can be aggregated with underground work, whereby 2 years as a screen worker is the equivalent of one year underground, the requisite period of work being at least the equivalent of 20 years as an underground worker.

Regulation 3 makes a consequential revocation.

These Regulations make in relation to Northern Ireland only provision corresponding to provision contained in Regulations made by the Secretary of State for Work and Pensions in relation to Great Britain and accordingly, by virtue of section 149(3) of, and paragraph 7 of Schedule 5A to, the Social Security Administration (Northern Ireland) Act 1992 (c. 8), are not subject to the requirement of section 149(2A) of that Act for prior reference to the Industrial Injuries Advisory Council.

(**a**) S.R. 1997 No. 158

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