STATUTORY INSTRUMENTS

1975 No. 2241

SOCIAL SECURITY

The Social Security (Industrial Injuries) (Prescribed Diseases) Amendment Regulations 1975

Made - - -	*30th December* 1975
Laid before Parliament	*9th January* 1976
Coming into Operation	*2nd February* 1976

The Secretary of State for Social Services, in exercise of powers conferred by sections 76 and 77 of the Social Security Act 1975 (**a**) and of all other powers enabling her 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 Regulations 1975 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 2nd February 1976.

Amendment of principal regulations and transitional provisions relating to prescription of viral hepatitis

2.—(1) Part I of Schedule 1 to the principal regulations shall be amended by the addition at the end of the first and second columns thereof, respectively, of the disease, hereinafter referred to as "viral hepatitis", specified in the first column of the Schedule hereto and of the occupations set against the said disease in the second column of that Schedule.

(2) Where a person, who has been employed on or at any time after 5th July 1948 in employed earner's employment in any occupation referred to in the second column of the Schedule hereto, is, as the result of viral hepatitis, either incapable of work or suffering from a loss of faculty on the date on

(**a**) 1975 c. 14.

(**b**) S.I. 1975/1537 (1975 III, p. 5340).

which these regulations come into operation, and the disease is due to the nature of the employment, the provisions of regulation 6 of the principal regulations (the 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 first day on which he was incapable of work or, as the case may be, as the day on which he first suffered from the relevant loss of faculty, and the date of development shall be determined accordingly.

(3) Where a person to whom the last foregoing paragraph applies is awarded disablement benefit in respect of viral hepatitis and claims an increase of that benefit under section 60 of the Social Security Act 1975 (increases of disablement pension in cases of special hardship), then, if at any time after having been employed as aforesaid, 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.

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

Brian O'Malley,
Minister of State,
Department of Health and Social Security.

30th December1975.

Regulation 2(1) SCHEDULE

Description of disease or injury	Nature of occupation
49. Viral hepatitis	Any occupation involving: (*a*) Close and frequent contact with human blood or human blood products; or (*b*) close and frequent contact with a source of viral hepatitis infection by reason of employment in the medical treatment or nursing of a person or persons suffering from viral hepatitis, or in a service ancillary to such treatment or nursing.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations, by making an addition to the diseases prescribed in Part I of Schedule 1 to the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations 1975, extend cover under the industrial injuries provisions of the Social Security Act 1975 to viral hepatitis in the case of persons employed in employed earner's employment in occupations involving either close and frequent contact with human blood or human blood products or close and frequent contact with a source of viral hepatitis infection by reason of employment in the medical treatment or nursing of a person or persons suffering from viral hepatitis or in a service ancillary to such treatment or nursing.

The Regulations also contain transitional provisions relating to persons who are already suffering from the disease on the date when they come into operation.

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