STATUTORY INSTRUMENTS

1977 No. 250

SOCIAL SECURITY

The Social Security (Industrial Injuries) (Prescribed Diseases) Amendment Regulations 1977

Made - - - -	17*th February* 1977
Laid before Parliament	28*th February* 1977
Coming into Operation	21*st March* 1977

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 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 Regulations 1977 shall be read as one with the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations 1975(b) as amended(c) (hereinafter referred to as "the principal regulations"), and shall come into operation on 21st March 1977.

Addition to Part I of Schedule I to the principal regulations

2. In Part I of Schedule I to the principal regulations there shall be added after item 49 of the first and second columns thereof the diseases and occupations specified respectively in the Schedule to these regulations.

Transitional provisions relating to regulation 6 of the principal regulations

3.—(1) Where a person has been employed on or at any time after 5 July 1948 in employed earner's employment in any occupation specified in the second column of the Schedule hereto and—

(*a*) as the result of one or both of the diseases specified in the first column of the Schedule he is on the date on which these regulations come into operation either—

(i) incapable of work; or

(ii) suffering from a loss of faculty; and

(*b*) the disease is due to the nature of the employment;

the following provisions of this regulation shall apply.

(2) In the aforementioned circumstances regulation 6 of the principal regulations (date of development) shall be applied subject to the modification

(a) 1975 c. 14. (b) S.I. 1975/1537 (1975 III, p. 5340).
(c) The relevant amending instruments are S.I. 1975/2241, 1976/1628 (1975 III, p. 8420; 1976 III, p. 4077).

that the date on which these regulations come into operation shall be treated as—

(*a*) the first day on which he was incapable of work; or, as the case may be,

(*b*) the day on which he first suffered from the relevant loss of faculty;

and the date of development shall be determined accordingly.

General transitional provisions

4. Where a person to whom the last foregoing regulation applies is awarded disablement benefit in respect of either of the diseases specified in the first column of the Schedule hereto 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 described in paragraph (1) of that regulation, 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

Stanley Orme,
Minister for Social Security,
Department of Health and Social Security.

17th February 1977.

SCHEDULE Regulation 2.

Description of disease or injury	Nature of occupation
50. (*a*) Angiosarcoma of the liver; and (*b*) Osteolysis of the terminal phalanges of the fingers	Any occupation involving—work in or about machinery or apparatus used for the polymerization of vinyl chloride monomer, a process which, for the purposes of this provision, comprises all operations up to and including the drying of the slurry produced by the polymerization and the packaging of the dried product; or work in a building or structure in which any part of the aforementioned process takes place.

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 I to the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations 1975, extend cover under the industrial injuries provisions of the Social Security Act 1975 to angiosarcoma of the liver and osteolysis of the terminal phalanges of the fingers in the case of persons employed in employed earner's employment in any occupation involving work in or about machinery or apparatus used for the polymerization of vinyl chloride monomer, a process which, for the purposes of this provision, comprises all operations up to and including the drying of the slurry produced by the polymerization and the packaging of the dried product; or work in a building or structure in which any part of the aforementioned process takes place.

The Regulations also contain transitional provisions relating to persons who are already suffering from one or both of the diseases on the date when they come into operation.

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