STATUTORY INSTRUMENTS

1975 No. 1138

SOCIAL SECURITY

The Workmen's Compensation (Supplementation) Amendment (No. 2) Scheme 1975

Made - - - -	*9th July* 1975
Laid before Parliament	18*th July* 1975
Coming into Operation	19*th November* 1975

The Secretary of State for Social Services, with the consent of the Treasury, in exercise of powers conferred by section 2 of the Industrial Injuries and Diseases (Old Cases) Act 1975**(a)** and of all other powers enabling her in that behalf, hereby makes, in consequence of the Social Security Benefits Up-rating Order 1975**(b)**, the following Scheme:—

Citation, interpretation and commencement

1. This Scheme, which may be cited as the Workmen's Compensation (Supplementation) Amendment (No. 2) Scheme 1975, shall be read as one with the Workmen's Compensation (Supplementation) Scheme 1966**(c)**, as amended **(d)** (hereinafter referred to as "the principal Scheme"), and shall come into operation on 19th November 1975.

Amendment of Article 10 *of the principal Scheme*

2. For Article 10(1)(*a*)(iii) of the principal Scheme (allowances in respect of two or more different injuries or diseases) there shall be substituted the following:—

"(iii) he shall not for the same period be entitled to receive two or more lesser incapacity allowances at an aggregate weekly rate which exceeds the amount specified in section 2(6)(*c*) of the Industrial Injuries and Diseases (Old Cases) Act 1975.".

Amendment of Schedule 1 *to the principal Scheme*

3. For Schedule 1 to the principal Scheme there shall be substituted the Schedule set out in the Schedule hereto.

(a) 1975 c. 16. **(b)** S.I. 1975/1096 (1975 II, p. 3845).
(c) S.I. 1966/165 (1966 I, p. 325).
(d) The relevant amending instruments are S.I. 1971/1223, 1972/1288, 1973/1440, 1974/943, 1975/513 (1971 II, p. 3580; 1972 II, p. 3862; 1973 II, p. 4395; 1974 II, p. 3588; 1975 I, p. 1688).

Transitional provision

4. Where a lesser incapacity allowance has been awarded to a person under the principal Scheme before 19th November 1975 and a question arises as to the weekly rate of that allowance payable in consequence of this Scheme, the case shall be reviewed by the Board in the light of the amendments made by this Scheme and the allowance shall continue to be payable at the weekly rate specified in the award until the question shall have been determined in accordance with the provisions of the principal Scheme.

Barbara Castle,
Secretary of State for Social Services.

7th July 1975.

We consent.

T. Pendry,
Donald R. Coleman,
Two of the Lords Commissioners
of Her Majesty's Treasury.

9th July 1975.

SCHEDULE Article 3

SCHEDULE 1 Article 5

Loss of earnings	*Rate of lesser incapacity allowance*
£	£
0·49½	0·15
0·99½	0·30
1·74½	0·45
2·49½	0·60
3·24½	0·85
3·99½	1·10
4·74½	1·35
5·49½	1·75
6·24½	2·15
6·99½	2·55
7·74½	2·95
8·49½	3·35
9·24½	4·10
9·99½	4·85
10·74½	5·60
11·49½	6·35
12·24½	7·10
12·99½	7·85
13·00	8·00

EXPLANATORY NOTE

(This Note is not part of the Scheme.)

Article 2 of this Scheme amends Article 10(1)(*a*)(iii) of the Workmen's Compensation (Supplementation) Scheme 1966 to provide that the maximum amount payable in respect of two or more lesser incapacity allowances shall, instead of being expressed as a sum of money, be expressed as the equivalent of the amount specified in section 2(6)(*c*) of the Industrial Injuries and Diseases (Old Cases) Act 1975. The other Articles of this Scheme give effect to Article 2(2) of the Social Security Benefits Up-rating Order 1975 increasing the weekly rate of lesser incapacity allowance payable in certain circumstances.

This Scheme is made in consequence of the Social Security Benefits Up-rating Order 1975 and accordingly, by virtue of section 4(8) of the Industrial Injuries and Diseases (Old Cases) Act 1975, no draft of the Scheme has been laid before Parliament.

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