1965 No. 74

WORKMEN'S COMPENSATION

The Workmen's Compensation (Supplementation) Amendment Scheme 1965

Made - - - -	20*th January* 1965
Laid before Parliament	29*th January* 1965
Coming into Operation	1*st February* 1965

The Minister of Pensions and National Insurance, with the consent of the Treasury, in exercise of the powers conferred by the Workmen's Compensation (Supplementation) Act 1951(a), as amended and extended by section 1(2) and (4) and Schedule 1 of the Family Allowances and National Insurance Act 1961(b) (as amended by section 3(2) of the National Insurance &c. Act 1964(c)) and of all other powers enabling her in that behalf, hereby makes, in consequence of the said Act of 1964, the following Scheme:—

Citation, interpretation and commencement

1. This Scheme, which may be cited as the Workmen's Compensation (Supplementation) Amendment Scheme 1965, shall be read as one with the Workmen's Compensation (Supplementation) Scheme 1951(d) as amended(e) (hereinafter referred to as " the principal Scheme "), and shall come into operation on 1st February 1965.

Amendment of Articles 2(3A), 7, 7A(1) and 7E of the principal Scheme

2.—(1) As from 31st March 1965, Articles 2(3A), 7, 7A(1) and 7E of the principal Scheme shall be amended in accordance with the following provisions of this Article.

(2) In Article 2(3A), as amended(f), of the principal Scheme (allowances payable in cases of pre-1924 accidents) for the words " 70 shillings " there shall be substituted the words " 82 shillings and 6 pence " and for the words " 7 shillings and 6 pence " there shall be substituted the words " 12 shillings and 6 pence ".

(3) In Article 7, as amended(e), of the principal Scheme (allowances payable in cases of two or more pre-1924 accidents) for the words " 70 shillings " there shall be substituted the words " 82 shillings and 6 pence ".

(4) In Article 7A(1), as amended(f), of the principal Scheme (allowances payable in cases of post-1923 accidents) for the words " 30 shillings " there shall be substituted the words " 42 shillings and 6 pence ".

(5) In Article 7E, as amended(f), of the principal Scheme (allowances payable in cases of two or more post-1923 accidents) there shall be made the following amendments:—

(*a*) in paragraph (1) for the words " 30 shillings " there shall be substituted the words " 42 shillings and 6 pence ";

(a) 14 & 15 Geo. 6. c. 22. (b) 10 & 11 Eliz. 2. c. 6. (c) 1964 c. 96. (d) S.I. 1951/1150 (1951 II, p. 1401). (e) S.I. 1962/283, 1963/582 (1962 I, p. 269; 1963 I, p. 674). (f) S.I. 1963/582 (1963 I, p. 674).

(*b*) in paragraph (2) for the words " 7 shillings and 6 pence " there shall be substituted the words " 12 shillings and 6 pence ";

(*c*) in paragraph (3) for the words " 30 shillings " there shall be substituted the words " 42 shillings and 6 pence ".

Transitional provisions

3.—(1) Subject to the provisions of paragraph (2) of this Article, where an allowance has been awarded to a person under the principal Scheme before 31st March 1965 at the weekly rate of 70 shillings less the amount of his workmen's compensation, or of 30 shillings or of 7 shillings and 6 pence, the allowance shall, as from that day and without any claim being made therefor, become payable at the weekly rate of 82 shillings and 6 pence less the amount of his workmen's compensation, or of 42 shillings and 6 pence, or of 12 shillings and 6 pence as the case may be, and the award shall have effect accordingly.

(2) Where a question arises as to the amount by which the weekly rate of allowance awarded to a person under the principal Scheme before 31st March 1965 falls to be increased by virtue of this Scheme, the allowance shall continue to be payable at the weekly rate specified in the award until the said question shall have been determined in accordance with the provisions of the principal Scheme.

(3) Where an award of an allowance is made under the principal Scheme before 31st March 1965, the award may provide for the allowance to be paid, as from that day, at any higher rate payable by virtue of this Scheme.

Margaret Herbison,

Minister of Pensions and National Insurance.

18th January 1965.

We consent.

G. H. R. Rogers,

Harriet Slater,

Two of the Lords Commissioners of Her Majesty's Treasury.

20th January 1965.

EXPLANATORY NOTE

(This Note is not part of the Scheme, but is intended to indicate its general purport.)

This Scheme amends the provisions of the Workmen's Compensation (Supplementation) Scheme 1951, by increasing the rates of the allowances payable out of the Industrial Injuries Fund in respect of injury or disease arising out of employment before 5th July 1948, when the National Insurance (Industrial Injuries) Act 1946 came into force. It does not apply to allowances payable in respect of total incapacity or disablement provided by the Workmen's Compensation and Benefit (Supplementation) Act 1956, the rates of these having been increased by the National Insurance &c. Act 1964. The Scheme also contains transitional provisions.

The Scheme is made in consequence of the 1964 Act and accordingly, by virtue of paragraph 8(4) of Schedule 7 of that Act, was not required to be laid before Parliament in draft for approval.