1967 No. 1204

WORKMEN'S COMPENSATION

The Workmen's Compensation (Supplementation) Amendment Scheme 1967

Made - - -	*8th August* 1967
Laid before Parliament	*15th August* 1967
Coming into Operation	*16th August* 1967

The Minister of Social Security, with the consent of the Treasury, in exercise of the powers conferred by sections 2 and 15 of the Industrial Injuries and Diseases (Old Cases) Act 1967(a) and of all other powers enabling her in that behalf, hereby makes, in consequence of the National Insurance (Industrial Injuries) (Amendment) Act 1967(b), the following Scheme:—

Citation, interpretation and commencement

1. This Scheme, which may be cited as the Workmen's Compensation (Supplementation) Amendment Scheme 1967, shall be read as one with the Workmen's Compensation (Supplementation) Scheme 1966(c) (hereinafter referred to as "the principal Scheme"), and shall come into operation on 16th August 1967.

Amendment of Article 1(2) *of the principal Scheme*

2. In Article 1(2) of the principal Scheme at the end of the definition of "pneumoconiosis" there shall be added the following words:—

"and in the case of a person who suffers from pneumoconiosis, or pneumoconiosis accompanied by tuberculosis, to an extent which would, if his physical condition were otherwise normal, be of a gravity comparable to an assessment of not less than 50 per cent under the Industrial Injuries Act the effects of any accompanying emphysema or chronic bronchitis may be treated as if they were the effects of the pneumoconiosis;".

Transitional provisions

3. Where in any case a beneficiary is on 16th August 1967 entitled to a lesser incapacity allowance as a result of pneumoconiosis or pneumoconiosis accompanied by tuberculosis—

(*a*) if it appears to the Board that his case should be reconsidered in the light of the amendment made by Article 2 of this Scheme the Board may refer the question specified in Article 14(1) of the principal Scheme to the Medical Board for determination in accordance with Article 14(2) of the principal Scheme and, if, on such reference, the Medical Board issue a certificate in accordance with the said Article 14(2) the Board may make an award of a major incapacity allowance notwithstanding that no claim for such allowance has been made;

(a) 1967 c. 34. (b) 1967 c. 25. (c) S.I. 1966/165 (1966 I, p. 325).

(*b*) if his case is not referred under the provisions of sub-paragraph (*a*) of this Article he may apply to have his case so referred if he furnishes evidence which shows to the satisfaction of the Board that there is reasonable cause for suspecting that it should be reconsidered as aforesaid.

Judith Hart,
Minister of Social Security.

3rd August 1967.

We consent

E. Alan Fitch,
Harry Gourlay,
Two of the Lords Commissioners of Her Majesty's Treasury.

8th August 1967.

EXPLANATORY NOTE

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

This Scheme amends the Workmen's Compensation (Supplementation) Scheme 1966 so as to enable the effects of emphysema and chronic bronchitis to be treated as if they were the effects of pneumoconiosis in certain circumstances.

The Scheme also contains transitional provisions relating to certain beneficiaries entitled to lesser incapacity allowance on the date of the coming into operation of this Scheme.

The Scheme is made in consequence of the National Insurance (Industrial Injuries) (Amendment) Act 1967 and, in accordance with section 15(10) of the Industrial Injuries and Diseases (Old Cases) Act 1967, no draft of the Scheme has been laid before Parliament.