STATUTORY INSTRUMENTS

2018 No. 316

SOCIAL SECURITY

The Pneumoconiosis etc. (Workers' Compensation) (Payment of Claims) (Amendment) Regulations 2018

Made - - - -	*6th March 2018*
Coming into force - -	*1st April 2018*

The Secretary of State for Work and Pensions makes the following Regulations, in exercise of the powers conferred by sections 1(1), (2) and (4) and 7(1) and (2) of the Pneumoconiosis etc. (Workers' Compensation) Act 1979(**1**).

In accordance with section 7(3)(**2**) of the Pneumoconiosis etc. (Workers' Compensation) Act 1979, a draft of this instrument was laid before Parliament and approved by resolution of each House of Parliament.

Citation, commencement and application

1.—(1) These Regulations may be cited as the Pneumoconiosis etc. (Workers' Compensation) (Payment of Claims) (Amendment) Regulations 2018 and come into force on 1st April 2018.

(2) These Regulations apply only in relation to any case in which a person first fulfils the conditions of entitlement to a payment under the Pneumoconiosis etc. (Workers' Compensation) Act 1979 on or after 1st April 2018.

Amendment of the Pneumoconiosis etc. (Workers' Compensation) (Payment of Claims) Regulations 1988

2.—(1) The Pneumoconiosis etc. (Workers' Compensation) (Payment of Claims) Regulations 1988(**3**) are amended as follows;

(2) In the proviso to regulation 5(1) (payment where death results from diffuse mesothelioma) for "£3,082" substitute "£3,174".

(3) In regulation 6(1)(a) (payment where pneumoconiosis is accompanied by tuberculosis) for "£6,375" (in both places) substitute "£6,566".

(4) In regulation 8 (minimum amount payable to dependant) for "£3,082" substitute "£3,174".

(**1**) 1979 c. 41. Section 1 was amended by section 24 of the Social Security Act 1985 (c. 53).
(**2**) Section 7(3) was amended by section 58 of the Welfare Reform Act 2007 (c. 5).
(**3**) S.I. 1988/668. S.I. 1989/552, S.I. 2013/690, S.I. 2015/503 and S.I. 2017/442 are the relevant amending instruments.

(5) In the Schedule—

(a) in the part headed "TABLE 1", for the table after the preamble substitute—

"Age of disabled person	*Percentage assessment for the relevant period*									
	10% or under £	*11% -20%* £	*21% -30%* £	*31% -40%* £	*41% -50%* £	*51% -60%* £	*61% -70%* £	*71% -80%* £	*81% -90%* £	*91% -100%* £
37 and under	36,736	65,606	76,974	79,163	81,348	83,097	84,847	86,597	88,345	90,097
38	35,687	62,978	74,655	77,327	79,596	81,348	83,097	84,847	86,597	88,345
39	34,637	60,354	72,338	75,488	77,852	79,367	81,348	83,097	84,847	86,597
40	33,590	57,727	70,020	73,648	76,095	77,849	79,596	81,348	83,097	84,849
41	32,540	55,107	67,705	71,807	74,354	76,095	77,849	79,596	81,348	83,097
42	31,483	52,486	65,384	69,981	72,602	74,354	76,095	77,849	79,596	81,348
43	29,916	49,419	63,067	68,578	71,379	73,479	75,225	76,974	78,725	80,476
44	28,338	46,359	60,745	67,181	70,153	72,602	74,354	76,095	77,849	79,596
45	26,768	43,298	58,429	65,778	68,931	71,723	73,479	75,225	76,974	78,725
46	25,192	40,239	56,113	64,381	67,705	70,855	72,602	74,354	76,095	77,849
47	23,620	37,175	53,793	62,978	66,481	69,981	71,723	73,479	75,225	76,974
48	22,262	35,951	51,960	60,182	64,381	67,525	69,279	71,028	72,772	74,529
49	20,906	34,726	50,122	57,381	62,283	65,077	66,828	68,578	70,329	72,080
50	19,550	33,503	48,319	54,584	60,182	62,628	64,381	66,128	67,875	69,627
51	18,194	32,277	46,445	51,782	58,079	60,182	61,946	63,676	65,430	67,181
52	16,838	31,051	44,610	48,983	55,979	57,727	59,484	61,230	62,978	64,725
53	15,568	28,869	41,809	46,535	53,881	55,979	57,727	59,484	61,230	62,978
54	14,301	26,681	39,010	44,091	51,782	54,235	55,979	57,727	59,484	61,230
55	13,036	24,494	36,217	41,635	49,681	52,486	54,235	55,979	57,727	59,484
56	11,764	22,305	33,414	39,188	47,585	50,732	52,486	54,235	55,979	57,727
57	10,497	20,116	30,617	36,736	45,493	48,984	50,732	52,486	54,235	55,979
58	9,664	18,283	27,339	32,972	40,936	44,175	46,054	47,894	49,682	51,432
59	8,833	16,443	24,054	29,217	36,387	39,360	41,373	43,298	45,135	46,881
60	8,007	14,605	20,774	25,453	31,843	34,552	36,689	38,707	40,589	42,339
61	7,171	12,770	17,497	21,692	27,291	29,740	32,012	34,115	36,039	37,788
62	6,341	10,934	14,215	17,930	22,743	24,929	27,339	29,524	31,483	33,240

"Age of disabled person	*Percentage assessment for the relevant period*									
	10% or under £	*11% -20% £*	*21% -30% £*	*31% -40% £*	*41% -50% £*	*51% -60% £*	*61% -70% £*	*71% -80% £*	*81% -90% £*	*91% -100% £*
63	5,904	9,884	12,770	16,032	20,231	22,389	24,667	26,768	28,689	30,439
64	5,477	8,833	11,327	14,125	17,711	19,857	22,001	24,012	25,888	27,638
65	5,031	7,785	9,884	12,227	15,201	17,319	19,331	21,257	23,095	24,844
66	4,595	6,737	8,440	10,320	12,685	14,781	16,663	18,498	20,294	22,043
67	4,157	5,686	6,995	8,419	10,170	12,250	13,998	15,743	17,497	19,245
68	4,043	5,505	6,757	8,072	9,821	11,764	13,449	15,265	16,945	18,675
69	3,937	5,336	6,520	7,721	9,473	11,285	12,905	14,781	16,404	18,103
70	3,826	5,164	6,275	7,371	9,121	10,799	12,358	14,301	15,853	17,540
71	3,719	4,983	6,036	7,017	8,768	10,320	11,812	13,821	15,310	16,971
72	3,609	4,811	5,795	6,671	8,419	9,844	11,260	13,339	14,758	16,404
73	3,518	4,726	5,709	6,539	8,286	9,623	11,044	12,991	14,325	15,920
74	3,434	4,636	5,620	6,409	8,160	9,401	10,827	12,643	13,886	15,427
75	3,349	4,553	5,534	6,275	8,023	9,185	10,605	12,290	13,449	14,955
76	3,258	4,458	5,444	6,145	7,893	8,969	10,390	11,941	13,007	14,480
77 and over	3,174	4,372	5,360	6,012	7,763	8,746	10,170	11,596	12,575	13,998";

(b) in the part headed "TABLE 2", for the table after the preamble substitute—

"**Part A**

Age of disabled person on their last birthday before their death	*Percentage assessment for the relevant period*				
	10% or under £	*11%-20% £*	*21%-30% £*	*31%-49% £*	*50% or over £*
37 and under	23,269	39,673	44,482	45,797	46,888
38	22,744	38,184	43,168	44,482	45,879
39	22,221	36,697	41,856	43,167	44,873
40	21,691	35,207	40,544	41,856	43,868
41	21,168	33,722	39,232	40,544	42,862
42	20,647	32,240	37,919	39,232	41,856