STATUTORY RULES OF NORTHERN IRELAND

2021 No. 55

SOCIAL SECURITY

The Pneumoconiosis, etc., (Workers' Compensation) (Payment of Claims) (Amendment) Regulations (Northern Ireland) 2021

Made - - - - 9th March 2021
Coming into operation in accordance with regulation 1(1)

Affirmed by resolution of the Assembly on 22nd March 2021

The Department for Communities makes the following Regulations in exercise of the powers conferred by Articles 3(3), 4(3) and 11(1) and (4) of the Pneumoconiosis, etc., (Workers' Compensation) (Northern Ireland) Order 1979(**1**) and now vested in it(**2**).

Citation, commencement and application

1.—(1) These Regulations may be cited as the Pneumoconiosis, etc., (Workers' Compensation) (Payment of Claims) (Amendment) Regulations (Northern Ireland) 2021 and shall come into operation on 1st April 2021 or the day after they are affirmed by resolution of the Assembly if later.

(2) These Regulations apply only in relation to any case in which a person first satisfies the conditions of entitlement to a payment under the Pneumoconiosis, etc., (Workers' Compensation) (Northern Ireland) Order 1979 on or after the day on which these Regulations come into operation.

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

2.—(1) The Pneumoconiosis, etc., (Workers' Compensation) (Payment of Claims) Regulations (Northern Ireland) 1988(**3**) are amended in accordance with paragraphs (2) to (4).

(2) In regulation 5(2) (payment where death results from diffuse mesothelioma) and regulation 7 (minimum amount payable to dependant) for "£3,305" substitute "£3,322".

(3) In regulation 6(1)(a) (payment where pneumoconiosis is accompanied by tuberculosis) for "£6,838", in both places, substitute "£6,872".

(**1**) S.I. 1979/925 (N.I. 9); Articles 3 and 4 were amended by Article 22(a) and (b) of the Social Security (Northern Ireland) Order 1985 (S.I. 1985/1209 (N.I.16)), paragraph 17(2) to (4) of Schedule 3 to the Social Security (Northern Ireland) Order 1986 (S.I. 1986/1888 (N.I.18)) and paragraphs 4 and 5 of Schedule 2 to the Mesothelioma Act 2014 (c. 1); Article 3 was amended by section 52(3) of the Welfare Reform Act (Northern Ireland) 2007 (c. 2 (N.I.)) and Article 4 was amended by Part 6 of Schedule 12 to the Welfare Reform (Northern Ireland) Order 2015 (S.I. 2015/2006 (N.I.1))

(**2**) *See* Article 4(b) of S.R. 1999 No. 481, the Department for Employment and Learning Act (Northern Ireland) 2001 (c. 15 (N.I.)), Article 3 of S.R. 2006 No. 192 and section 1(7) of the Departments Act (Northern Ireland) 2016 (c. 5 (N.I.))

(**3**) S.R. 1988 No. 242; relevant amending Regulations are S.R. 2008 No. 352 and S.R. 2020 No. 26

(4) In the Schedule—

(a) for Table 1, after the preamble, substitute the Table set out in Part 1 of the Schedule to these Regulations; and

(b) in Table 2 for Parts A and B substitute Parts A and B set out in Part 2 of the Schedule to these Regulations.

Sealed with the Official Seal of the Department for Communities on 9th March 2021

(L.S.)

Anne McCleary
A senior officer of the Department for Communities

SCHEDULE Regulation 2(4)

PART 1

"**TABLE 1**

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 or under	38,449	68,665	80,562	82,853	85,140	86,971	88,802	90,633	92,463	94,296
38	37,350	65,913	78,136	80,932	83,306	85,140	86,971	88,802	90,633	92,463
39	36,251	63,167	75,710	79,007	81,480	83,067	85,140	86,971	88,802	90,633
40	35,156	60,418	73,284	77,081	79,642	81,477	83,306	85,140	86,971	88,804
41	34,056	57,676	70,862	75,154	77,819	79,642	81,477	83,306	85,140	86,971
42	32,951	54,993	68,431	73,243	75,986	77,819	79,642	81,477	83,306	85,140
43	31,311	51,722	66,007	71,775	74,707	76,904	78,732	80,562	82,394	84,227
44	29,659	48,520	63,576	70,312	73,423	75,986	77,819	79,642	81,477	83,306
45	28,015	45,316	61,152	68,845	72,144	75,066	76,904	78,732	80,562	82,394
46	26,367	42,115	58,729	67,382	70,862	74,158	75,986	77,819	79,642	81,477
47	24,721	38,908	56,300	65,913	69,580	73,243	75,066	76,904	78,732	80,562
48	23,300	37,627	54,383	62,987	67,382	70,673	72,509	74,339	76,165	78,003
49	21,881	36,345	52,459	60,056	65,186	68,111	69,943	71,775	73,607	75,440
50	20,461	35,064	50,572	57,128	62,987	65,547	67,382	69,210	71,039	72,873
51	19,043	33,782	48,611	54,196	60,786	62,987	64,834	66,644	68,480	70,312
52	17,623	32,499	46,690	51,267	58,587	60,418	62,258	64,085	65,913	67,742
53	16,294	30,215	43,758	48,704	56,393	58,587	60,418	62,258	64,085	65,913
54	14,967	27,924	40,828	46,147	54,196	56,763	58,587	60,418	62,258	64,085
55	13,644	25,636	37,905	43,576	51,997	54,933	56,763	58,587	60,418	62,258
56	12,312	23,344	34,972	41,015	49,803	53,097	54,933	56,763	58,587	60,418
57	10,987	21,054	32,044	38,449	47,614	51,268	53,097	54,933	56,763	58,587
58	10,114	19,135	28,613	34,509	42,844	46,234	48,201	50,126	51,998	53,829
59	9,245	17,210	25,175	30,579	38,082	41,195	43,301	45,316	47,239	49,066
60	8,380	15,286	21,743	26,640	33,327	36,162	38,400	40,512	42,481	44,312
61	7,505	13,364	18,313	22,704	28,563	31,127	33,504	35,706	37,719	39,550