STATUTORY RULES OF NORTHERN IRELAND

2020 No. 26

SOCIAL SECURITY

The Pneumoconiosis, etc., (Workers' Compensation) (Payment of Claims) (Amendment) Regulations (Northern Ireland) 2020

Made - - - - 6th March 2020
Affirmed by resolution of the Assembly on - - - - 23rd March 2020
Coming into operation in accordance with regulation 1(1)

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) 2020 and shall come into operation on 1st April 2020 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).

(**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. 2015 No. 64

(2) In regulation 5(2) (payment where death results from diffuse mesothelioma) and regulation 7 (minimum amount payable to dependant) for"£3,051" substitute "£3,305".

(3) In regulation 6(1)(a) (payment where pneumoconiosis is accompanied by tuberculosis) for "£6,312", in both places, substitute "£6,838".

(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 6th March 2020

(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 and under	38,258	68,323	80,161	82,441	84,716	86,538	88,360	90,182	92,003	93,827
38	37,164	65,585	77,747	80,529	82,892	84,716	86,538	88,360	90,182	92,003
39	36,071	62,853	75,333	78,614	81,075	82,654	84,716	86,538	88,360	90,182
40	34,981	60,117	72,919	76,698	79,246	81,072	82,892	84,716	86,538	88,362
41	33,887	57,389	70,509	74,780	77,432	79,246	81,072	82,892	84,716	86,538
42	32,787	54,660	68,091	72,879	75,608	77,432	79,246	81,072	82,892	84,716
43	31,155	51,465	65,679	71,418	74,335	76,521	78,340	80,161	81,984	83,808
44	29,511	48,279	63,260	69,962	73,058	75,608	77,432	79,246	81,072	82,892
45	27,876	45,091	60,848	68,502	71,785	74,693	76,521	78,340	80,161	81,984
46	26,236	41,905	58,437	67,047	70,509	73,789	75,608	77,432	79,246	81,072
47	24,598	38,714	56,020	65,585	69,234	72,879	74,693	76,521	78,340	80,161
48	23,184	37,440	54,112	62,674	67,047	70,321	72,148	73,969	75,786	77,615
49	21,772	36,164	52,198	59,757	64,862	67,772	69,595	71,418	73,241	75,065
50	20,359	34,890	50,320	56,844	62,674	65,221	67,047	68,866	70,686	72,510
51	18,948	33,614	48,369	53,926	60,484	62,674	64,511	66,312	68,139	69,962
52	17,535	32,337	46,458	51,012	58,296	60,117	61,948	63,766	65,585	67,405
53	16,213	30,065	43,540	48,462	56,112	58,296	60,117	61,948	63,766	65,585
54	14,893	27,785	40,625	45,917	53,926	56,481	58,296	60,117	61,948	63,766
55	13,576	25,508	37,716	43,359	51,738	54,660	56,481	58,296	60,117	61,948
56	12,251	23,228	34,798	40,811	49,555	52,833	54,660	56,481	58,296	60,117
57	10,932	20,949	31,885	38,258	47,377	51,013	52,833	54,660	56,481	58,296
58	10,064	19,040	28,471	34,337	42,631	46,004	47,961	49,877	51,739	53,561
59	9,199	17,124	25,050	30,427	37,893	40,990	43,086	45,091	47,004	48,822
60	8,338	15,210	21,635	26,507	33,161	35,982	38,209	40,310	42,270	44,092
61	7,468	13,298	18,222	22,591	28,421	30,972	33,337	35,528	37,531	39,353