Draft Regulations laid before Parliament under section 7(3) of the Pneumoconiosis etc. (Workers' Compensation) Act 1979 for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2006 No.

SOCIAL SECURITY

The Pneumoconiosis etc. (Workers' Compensation) (Payment of Claims) (Amendment) Regulations 2006

Made - - - -	*2006*
Coming into force - -	*1st April 2006*

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

In accordance with section 7(3) of that Act, 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 2006 and shall come into force on 1st April 2006.

(2) These Regulations shall apply 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 the day on which they come into force.

Amendment of Regulations

2. In the Pneumoconiosis etc. (Workers' Compensation) (Payment of Claims) Regulations 1988(**2**)—

(a) for the Schedule to those Regulations substitute the Schedule set out in the Schedule to these Regulations;

(b) in regulations 5(1) and 8 (minimum amounts payable to dependant), for the amount "£2,248" substitute the amount "£2,309"; and

(c) in regulation 6(1) (payment where pneumoconiosis is accompanied by tuberculosis), for the amount "£4,649" (in both places) substitute the amount "£4,775".

(**1**) 1979 c.41. Section 1 of the Act was amended by section 24 of the Social Security Act 1985 (c.53).
(**2**) S.I. 1988/668; relevant amending instruments are S.I. 1989/552 and 2005/414.

Signed by authority of the Secretary of State for Work and Pensions.

Minister of State,
2006 Department for Work and Pensions

SCHEDULE Regulation 2(a)

"SCHEDULE Regulations 3,4,5 and 6

TABLE 1

1. This table is for the determination of payments to disabled persons under regulation 3 (or, as the case may be, regulation 6), and for the determination of payments to dependants of deceased sufferers under regulation 4(1).

2. The relevant period is the period specified in regulation 3(2) or (3) or, in the case of a disabled person to whom regulation 6 applies, the first period specified in regulation 6(1)(b).

3. The age of the disabled person is his age determined in accordance with regulation 3(2) or (3) or, in the case of a disabled person to whom regulation 6 applies, regulation 6(1)(b). In determining the amount payable to a dependant of a disabled person under regulation 4(1), the age to be taken for the purpose of calculating the sum to be deducted from the amount which would have been payable to the disabled person had he still been alive is the age of the deceased at his last birthday preceding his death.

PART A

PAYMENTS TO DISABLED PERSONS TO WHOM IS PAYABLE DISABLEMENT BENEFIT UNDER SECTION 108 OF THE SOCIAL SECURITY CONTRIBUTIONS AND BENEFITS ACT 1992 OR UNDER ANY CORRESPONDING PROVISION OF THE FORMER INDUSTRIAL INJURIES ACTS, OR WOULD BE PAYABLE BUT FOR THE DISABLEMENT AMOUNTING TO LESS THAN THE APPROPRIATE PERCENTAGE

Age of disabled person	*Percentage assessment for the relevant period*									
	10% or less	*11%-20%*	*21%-30%*	*31%-40%*	*41%-50%*	*51%-60%*	*61%-70%*	*71%-80%*	*81%-90%*	*91%-100%*
	£	£	£	£	£	£	£	£	£	£
37 and under	26720	47718	55987	57578	59168	60440	61713	62985	64257	65531
38	25956	45806	54300	56244	57893	59168	60440	61713	62985	64257
39	25192	43897	52614	54904	56624	57893	59168	60440	61713	62985
40	24430	41988	50929	53567	55348	56624	57893	59168	60440	61713
41	23666	40081	49244	52230	54079	55348	56624	57893	59168	60440
42	22899	38174	47556	50899	52805	54079	55348	56624	57893	59168
43	21759	35945	45871	49878	51917	53443	54713	55987	57259	58533
44	20612	33718	44184	48862	51024	52805	54079	55348	56624	57893
45	19470	31492	42498	47843	50136	52167	53443	54713	55987	57259
46	18323	29266	40814	46826	49244	51534	52805	54079	55348	56624
47	17180	27039	39127	45806	48353	50899	52167	53443	54713	55987
48	16191	26147	37793	43772	46826	49112	50389	51660	52931	54206
49	15206	25259	36455	41735	45301	47333	48606	49878	51154	52426
50	14219	24367	35145	39700	43772	45552	46826	48097	49368	50641

Age of disabled person	*Percentage assessment for the relevant period*									
	10% or less	*11%-20%*	*21%-30%*	*31%-40%*	*41%-50%*	*51%-60%*	*61%-70%*	*71%-80%*	*81%-90%*	*91%-100%*
	£	£	£	£	£	£	£	£	£	£
51	13234	23476	33781	37663	42245	43772	45057	46314	47589	48862
52	12248	22586	32447	35628	40716	41988	43264	44535	45806	47078
53	11324	20997	30409	33847	39189	40716	41988	43264	44535	45806
54	10401	19406	28374	32068	37663	39447	40716	41988	43264	44535
55	9480	17814	26342	30283	36135	38174	39447	40716	41988	43264
56	8557	16222	24304	28502	34611	36899	38174	39447	40716	41988
57	7635	14632	22267	26720	33088	35629	36899	38174	39447	40716
58	7031	13298	19884	23983	29774	32130	33497	34835	36135	37410
59	6425	11959	17495	21250	26465	28629	30092	31492	32828	34098
60	5824	10623	15109	18513	23161	25131	26687	28153	29521	30795
61	5216	9288	12726	15777	19850	21632	23284	24812	26212	27485
62	4612	7953	10339	13042	16543	18133	19884	21473	22899	24176
63	4294	7188	9288	11661	14715	16285	17942	19470	20867	22139
64	3983	6425	8238	10274	12883	14443	16003	17464	18830	20102
65	3659	5662	7188	8894	11056	12596	14060	15461	16798	18069
66	3342	4901	6139	7505	9227	10752	12121	13455	14761	16032
67	3023	4135	5088	6123	7397	8909	10180	11452	12726	13997
68	2940	4005	4914	5869	7144	8557	9781	11102	12325	13583
69	2863	3881	4742	5616	6889	8208	9387	10752	11931	13168
70	2783	3755	4564	5360	6633	7856	8987	10401	11531	12756
71	2705	3624	4390	5103	6378	7505	8591	10053	11135	12345
72	2625	3500	4215	4853	6123	7159	8190	9702	10733	11931
73	2560	3438	4152	4756	6027	6999	8032	9449	10418	11579
74	2498	3372	4088	4661	5935	6838	7875	9195	10102	11222
75	2435	3310	4026	4564	5835	6681	7714	8938	9781	10877
76	2370	3242	3959	4471	5741	6524	7557	8685	9462	10531
77 and over	2309	3180	3897	4373	5645	6362	7397	8434	9146	10180

PART B

PAYMENTS TO DISABLED PERSONS TO WHOM IS PAYABLE AN ALLOWANCE UNDER A SCHEME MADE OR HAVING EFFECT AS IF MADE UNDER PARAGRAPH 4 OF

SCHEDULE 8 TO THE SOCIAL SECURITY CONTRIBUTIONS AND BENEFITS ACT 1992 OR UNDER ANY CORRESPONDING PROVISION OF THE FORMER OLD CASES ACT

Age of disabled person	*Extent of incapacity for the relevant period*	
	Partial	*Total*
	£	£
37 and under	47718	65531
38	45806	64257
39	43897	62985
40	41988	61713
41	40081	60440
42	38174	59168
43	35945	58533
44	33718	57893
45	31492	57259
46	29266	56624
47	27039	55987
48	26147	54206
49	25259	52426
50	24367	50641
51	23476	48862
52	22586	47078
53	20997	45806
54	19406	44535
55	17814	43264
56	16222	41988
57	14632	40716
58	13298	37410
59	11959	34098
60	10623	30795
61	9288	27485
62	7953	24176
63	7188	22139
64	6425	20102
65	5662	18069
66	4901	16032