STATUTORY RULES OF NORTHERN IRELAND

2015 No. 64

SOCIAL SECURITY

The Pneumoconiosis, etc., (Workers' Compensation) (Payment of Claims) (Amendment) Regulations (Northern Ireland) 2015

Made - - - - 17th February 2015
Affirmed by resolution of the Assembly on - - - - 23rd March 2015
Coming into operation in accordance with regulation 1(1)

The Department for Social Development 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) 2015 and shall come into operation on 1st April 2015 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)) and paragraph 17(2) to (4) of Schedule 3 to the Social Security (Northern Ireland) Order 1986 (S.I. 1986/1888 (N.I. 18)) and Article 3 was amended by section 52(3) of the Welfare Reform Act (Northern Ireland) 2007 (c. 2 (N.I.))

(**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.)) and Article 3 of S.R. 2006 No. 192

(**3**) S.R. 1988 No. 242; relevant amending Regulations are S.R. 2008 No. 352 and S.R. 2014 No. 62

(2) In regulations 5(2) and 7 (minimum amounts payable to dependant) for "£3,015" substitute "£3,051".

(3) In regulation 6(1)(a) (payment where pneumoconiosis is accompanied by tuberculosis) for "£6,237", in both places, substitute "£6,312".

(4) For the Schedule substitute the Schedule set out in the Schedule to these Regulations.

Sealed with the Official Seal of the Department for Social Development on 17th February 2015

(L.S.)

Andrew M. Hamilton
A senior officer of the Department for Social Development

SCHEDULE Regulation 2(4)

"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 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, 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, 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.

4. The table prescribes payments to disabled persons to whom disablement benefit is payable under section 108 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**4**), 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.

TABLE 1

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	35,313	63,064	73,992	76,096	78,197	79,878	81,560	83,243	84,923	86,607
38	34,305	60,539	71,763	74,332	76,513	78,197	79,878	81,560	83,243	84,923
39	33,295	58,016	69,536	72,563	74,836	76,292	78,197	79,878	81,560	83,243
40	32,289	55,491	67,308	70,795	73,148	74,834	76,513	78,197	79,878	81,562
41	31,279	52,972	65,082	69,026	71,473	73,148	74,834	76,513	78,197	79,878
42	30,263	50,452	62,851	67,270	69,789	71,473	73,148	74,834	76,513	78,197
43	28,757	47,505	60,624	65,922	68,614	70,633	72,311	73,992	75,675	77,358
44	27,241	44,563	58,392	64,578	67,436	69,789	71,473	73,148	74,834	76,513
45	25,731	41,621	56,165	63,230	66,260	68,945	70,633	72,311	73,992	75,675
46	24,216	38,680	53,940	61,887	65,082	68,110	69,789	71,473	73,148	74,834
47	22,705	35,735	51,709	60,539	63,906	67,270	68,945	70,633	72,311	73,992

(**4**) 1992 c. 7