STATUTORY RULES OF NORTHERN IRELAND

2007 No. 341

SOCIAL SECURITY

The Social Security (Industrial Injuries) (Prescribed Diseases) (Amendment No. 2) Regulations (Northern Ireland) 2007

Made - - - -	*19th July 2007*
Coming into operation	*1st October 2007*

The Department for Social Development makes the following Regulations in exercise of the powers conferred by sections 108(2) and 171(1), (3) and (4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**1**) and now vested in it(**2**).

It is satisfied of the matters referred to in section 108(2)(a) and (b) of that Act.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Industrial Injuries) (Prescribed Diseases) (Amendment No. 2) Regulations (Northern Ireland) 2007 and shall come into operation on 1st October 2007.

(2) In these Regulations "the principal Regulations" means the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations (Northern Ireland) 1986(**3**).

Amendment of the principal Regulations

2. In Part I of Schedule 1 to the principal Regulations (list of prescribed diseases and the occupations for which they are prescribed), in the entry relating to prescribed disease A11—

(a) for the entry in the first column substitute—

"**A11.**

(a) Intense blanching of the skin, with a sharp demarcation line between affected and non-affected skin, where the blanching is cold-induced, episodic, occurs throughout the year and affects the skin of the distal with the middle and proximal phalanges, or distal with the middle phalanx (or in the case of a thumb the distal with the proximal phalanx), of—

(**1**) 1992 c. 7; section 171(1) was amended by paragraph 5 of Schedule 4 to the Tax Credits Act 2002 (c. 21)
(**2**) *See* Article 8(b) of S.R. 1999 No. 481
(**3**) S.R. 1986 No. 179; relevant amending regulations are S.R. 1989 No. 319, S.R. 1993 Nos. 148 and 350, S.R. 2000 No. 215 and S.R. 2003 No. 63

(i) in the case of a person with 5 fingers (including thumb) on one hand, any 3 of those fingers, or

(ii) in the case of a person with only 4 such fingers, any 2 of those fingers, or

(iii) in the case of a person with less than 4 such fingers, any one of them or, as the case may be, the one remaining finger,

where none of the person's fingers was subject to any degree of cold-induced, episodic blanching of the skin prior to the person's employment in an occupation described in the second column in relation to this paragraph, or

(b) significant, demonstrable reduction in both sensory perception and manipulative dexterity with continuous numbness or continuous tingling all present at the same time in the distal phalanx of any finger (including thumb) where none of the person's fingers was subject to any degree of reduction in sensory perception, manipulative dexterity, numbness or tingling prior to the person's employment in an occupation described in the second column in relation to this paragraph,

where the symptoms in paragraph (a) or (b) were caused by vibration.".

(b) in the entry in the second column, in sub-paragraph (a) for "in forestry" substitute "on wood".

Transitional provision

3.—(1) Regulation 2 shall not apply to a question relating to the blanching of a claimant's fingers where—

(a) the question arises in connection with a period of assessment which relates to a claim which is made—

(i) before the commencement date, or

(ii) within 3 months after the commencement date in respect of a period which began before the commencement date, or

(b) a person suffers from an attack of a disease and under regulation 7 of the principal Regulations(**4**) (recrudescence) the attack is a recrudescence of a disease for which a claim was made before the commencement date or within 3 months after the commencement date in respect of a period which began before the commencement date.

(2) For the purposes of this regulation—

(a) "commencement date" means the date on which these Regulations come into operation; and

(b) a period of assessment which begins on the day following the end of a preceding period of assessment, shall be treated as a continuation of the preceding period of assessment.

(**4**) Regulation 7 was amended by regulation 3 of S.R. 1989 No. 319, regulation 5 of S.R. 1993 No. 148, regulation 5 of S.R. 1993 No. 350, regulation 2 of S.R. 2000 No. 215 and regulation 2(3) of S.R. 2003 No. 63