STATUTORY RULES OF NORTHERN IRELAND

2007 No. 109

SOCIAL SECURITY

The Pneumoconiosis, etc., (Workers' Compensation) (Payment of Claims) (Amendment) Regulations (Northern Ireland) 2007

Made - - - - 23rd February 2007
To be laid before Parliament under paragraph 7(3) of the Schedule to the Northern Ireland Act 2000

Coming into operation 1st April 2007

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) 2007 and shall come into operation on 1st April 2007.

(2) These Regulations shall apply 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 date 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 regulations 5(2) and 7 (minimum amounts payable to dependant) for "£2,309" substitute "£2,392".

(3) In regulation 6(1)(a) (payment where pneumoconiosis is accompanied by tuberculosis) for "£4,775", in both places where it occurs, substitute "£ 4,947".

(**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))
(**2**) *See* Article 4(b) of S.R. 1999 No. 481, the Department for Employment and Learning Act (Northern Ireland) 2001 (N.I. 15) and Article 3 of S.R. 2006 No. 192
(**3**) S.R. 1988 No. 242; relevant amending Regulations are S.R. 2006 No. 87

(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 23rd February 2007

John O'Neill
A senior officer of the Department for Social Development

SCHEDULE Regulation 2(4)

"SCHEDULE Regulations 3, 4 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, 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	27682	49435	58002	59651	61298	62616	63935	65252	66571	67890
38	26891	47455	56254	58268	59977	61298	62616	63935	65252	66571
39	26099	45477	54508	56881	58662	59977	61298	62616	63935	65252
40	25310	43499	52762	55496	57341	58662	59977	61298	62616	63935
41	24518	41524	51016	54110	56026	57341	58662	59977	61298	62616
42	23723	39548	49268	52732	54706	56026	57341	58662	59977	61298
43	22542	37239	47522	51674	53786	55367	56683	58002	59321	60640
44	21354	34932	45774	50621	52861	54706	56026	57341	58662	59977
45	20171	32626	44028	49565	51941	54046	55367	56683	58002	59321
46	18982	30320	42283	48512	51016	53389	54706	56026	57341	58662
47	17798	28012	40535	47455	50094	52732	54046	55367	56683	58002

(**4**) 1992 c. 7