STATUTORY RULES OF NORTHERN IRELAND

2003 No. 388

SOCIAL SECURITY

The Social Security (Industrial Injuries) (Prescribed Diseases) (Amendment No. 2) Regulations (Northern Ireland) 2003

Made - - - -	*27th August 2003*
Coming into operation	*22nd September 2003*

The Department for Social Development, in exercise of the powers conferred by sections 108(2), 109(2) and 171(1) to (4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**1**) and Articles 10(1), 11(3) and 74(1) and (4) of the Social Security (Northern Ireland) Order 1998(**2**), and now vested in it(**3**), and of all other powers enabling it in that behalf, being satisfied of the matters referred to in section 108(2)(a) and (b) of that Act, hereby makes the following Regulations:

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) 2003 and shall come into operation on 22nd September 2003.

(2) The Interpretation Act 1978(**4**) shall apply to these Regulations as it applies to an Act of the United Kingdom Parliament.

Amendment of the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations

2.—(1) The Social Security (Industrial Injuries) (Prescribed Diseases) Regulations (Northern Ireland) 1986(**5**) shall be amended in accordance with paragraphs (2) and (3) of this regulation.

(2) For regulation 27 (period to be covered by assessment of disablement in respect of occupational deafness) there shall be substituted the following regulation –

(**1**) 1992 c. 7; section 109(2) was amended by paragraph 47 of Schedule 6 to the Social Security (Northern Ireland) Order 1998 (S.I. 1998/1506 (N.I. 10)), section 171(1) was amended by paragraph 5 of Schedule 4 to the Tax Credits Act 2002 (c. 21) and section 171(2) was amended by paragraph 28(2) of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999 (S.I. 1999/671)
(**2**) S.I. 1998 No. 1506 (N.I. 10); Article 74(1) was amended by paragraph 17(2) of Schedule 4 to the Tax Credits Act 2002
(**3**) *See* Article 8(b) of S.R. 1999 No. 481
(**4**) 1978 c. 30
(**5**) S.R. 1986 No. 179; relevant amending regulations are S.R. 1987 No. 454, S.R. 1989 No. 319 and S.R. 1994 No. 347

"**27.** Paragraph 6(1) and (2) of Schedule 6 to the Contributions and Benefits Act shall be modified so that in respect of occupational deafness, the period to be taken into account by an assessment of the extent of a claimant's disablement shall be the remainder of the claimant's life.".

(3) In Part I of Schedule 1(**6**) (list of prescribed diseases and the occupations for which they are prescribed), in the entry relating to prescribed disease A10 for the entry in the second column (occupation) there shall be substituted –

"The use of, or work wholly or mainly in the immediate vicinity of the use of, a –

(a) band saw, circular saw or cutting disc to cut metal in the metal founding or forging industries, circular saw to cut products in the manufacture of steel, powered (other than hand powered) grinding tool on metal (other than sheet metal or plate metal), pneumatic percussive tool on metal, pressurised air arc tool to gouge metal, burner or torch to cut or dress steel based products, skid transfer bank, knock out and shake out grid in a foundry, machine (other than a power press machine) to forge metal including a machine used to drop stamp metal by means of closed or open dies or drop hammers, machine to cut or shape or clean metal nails, or plasma spray gun to spray molten metal;

(b) pneumatic percussive tool:– to drill rock in a quarry, on stone in a quarry works, underground, for mining coal, for sinking a shaft, or for tunnelling in civil engineering works;

(c) vibrating metal moulding box in the concrete products industry, or circular saw to cut concrete masonry blocks;

(d) machine in the manufacture of textiles for:– weaving man-made or natural fibres (including mineral fibres), high speed false twisting of fibres, or the mechanical cleaning of bobbins;

(e) multi-cutter moulding machine on wood, planing machine on wood, automatic or semi-automatic lathe on wood, multiple cross-cut machine on wood, automatic shaping machine on wood, double-end tenoning machine on wood, vertical spindle moulding machine (including a high speed routing machine) on wood, edge banding machine on wood, band-sawing machine (with a blade width of not less than 75 millimetres) on wood, circular sawing machine on wood including one operated by moving the blade towards the material being cut, or chain saw on wood;

(f) jet of water (or a mixture of water and abrasive material) at a pressure above 680 bar, or jet channelling process to burn stone in a quarry;

(g) machine in a ship's engine room, or gas turbine for:– performance testing on a test bed, installation testing of a replacement engine in an aircraft, or acceptance testing of an Armed Service fixed wing combat aircraft;

(h) machine in the manufacture of glass containers or hollow ware for:– automatic moulding, automatic blow moulding, or automatic glass pressing and forming;

(i) spinning machine using compressed air to produce glass wool or mineral wool;

(j) continuous glass toughening furnace;

(k) firearm by a police firearms training officer; or

(l) shot-blaster to carry abrasives in air for cleaning.".

(**6**) Relevant amending regulations are S.R. 1987 No. 454, S.R. 1989 No. 319 and S.R. 1994 No. 347