STATUTORY RULES OF NORTHERN IRELAND

2003 No. 63

SOCIAL SECURITY

The Social Security (Industrial Injuries) (Prescribed Diseases) (Amendment) Regulations (Northern Ireland) 2003

Made - - - - 11th February 2003

Coming into operation 17th March 2003

The Department for Social Development, in exercise of the powers conferred by sections 108(2) and (4), 109(2) and (3) and 171(1) to (4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**1**), and now vested in it(**2**), and of all other powers enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Social Security (Industrial Injuries) (Prescribed Diseases) (Amendment) Regulations (Northern Ireland) 2003 and shall come into operation on 17th March 2003.

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

2.—(1) The Social Security (Industrial Injuries) (Prescribed Diseases) Regulations (Northern Ireland) 1986(**3**) shall be amended in accordance with paragraphs (2) to (4) of this regulation.

(2) In regulation 4 (presumption that a disease is due to the nature of employment) –

(a) in paragraph (1)(**4**) after "B5," there shall be inserted "C1, C2, C4, C5A, C5B, C6, C7, C12, C13, C16, C19, C20, C21, C22, C23, C25, C26, C27, C29, C30,";

(b) after paragraph (6)(**5**) there shall be added the following paragraph –

"(7) Where a person in relation to whom primary neoplasm of the epithelial lining of the urinary tract is prescribed in paragraph C23 in Part I of Schedule 1 in respect of

(**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)) 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**) *See* Article 8(b) of S.R. 1999 No. 481

(**3**) S.R. 1986 No. 179; relevant amending regulations are S.R. 1987 No. 454, S.R. 1989 No. 319, S.R. 1993 Nos. 148 and 350 and S.R. 1996 No. 57

(**4**) Paragraph (1) was amended by regulation 3 of S.R. 1993 No. 148, regulation 3(a) of S.R. 1993 No. 350 and regulation 3(2) of S.R. 1996 No. 57

(**5**) Paragraph (6) was added by regulation 3(b) of S.R. 1993 No. 350

the occupation set out in sub-paragraph (a), (b) or (e) in the second column of the entry relating to disease numbered C23, develops that disease, it shall, unless the contrary is proved, be presumed to be due to the nature of his employed earner's employment if he was employed in one of those occupations on, or at any time within one month immediately preceding, the date on which, under the subsequent provisions of these regulations, he is treated as having developed the disease.".

(3) In regulations 7(1)(b)(**6**) (recrudescence) and 8(1) (workmen's compensation cases) the words "in the manner provided in Part X of the Adjudication Regulations" shall be omitted.

(4) In Part I of Schedule 1(**7**) (list of prescribed diseases and the occupations for which they are prescribed) –

(a) the entries relating to prescribed diseases C8, C9, C10, C11, C14, C15 and C28(**8**) (conditions due to chemical agents) shall be omitted;

(b) in the entry relating to prescribed disease C1 for the entry in the first column there shall be substituted –

"C1.	(a) Anaemia with a haemoglobin concentration of 9g/dL or less, and a blood film showing punctate basophilia; } (b) peripheral neuropathy; } (c) central nervous system toxicity. }";

(c) in the entry relating to prescribed disease C2 for the entry in the first column there shall be substituted –

"C2.	Central nervous system toxicity characterised by parkinsonism.";

(d) for the entry relating to prescribed disease C4 there shall be substituted –

"C4.	Primary carcinoma of the bronchus or lung.	Exposure to the fumes, dust or vapour of arsenic, a compound of arsenic or a substance containing arsenic.";

(e) for the entry relating to prescribed disease C5 there shall be substituted –

"C5A.	Central nervous system toxicity characterised by tremor and neuropsychiatric disease.	Exposure to mercury or inorganic compounds of mercury for a period of, or periods which amount in aggregate to, 10 years or more.

(**6**) Paragraph (1) was amended by regulation 3 of S.R. 1989 No. 319, regulation 5 of S.R. 1993 No. 148 and regulation 5 of S.R. 1993 No. 350

(**7**) Relevant amending regulations are S.R. 1987 No. 454, S.R. 1993 No. 148 and S.R. 1996 No. 57

(**8**) Prescribed disease C28 was inserted by the Schedule to S.R. 1987 No. 454

C5B.	Central nervous system toxicity characterised by combined cerebellar and cortical degeneration.	Exposure to methylmercury.”;

(f) for the entry relating to prescribed disease C6 there shall be substituted –

“C6.	Peripheral neuropathy.	The use or handling of, or exposure to, carbon disulphide (also called carbon disulfide).”;

(g) for the entry relating to prescribed disease C7 there shall be substituted –

“C7.	Acute non-lymphatic leukaemia.	Exposure to benzene.”;

(h) for the entry relating to prescribed disease C12 there shall be substituted –

“C12.	(a) Peripheral neuropathy; } (b) central nervous system toxicity. }	Exposure to methyl bromide (also called bromomethane).”;

(i) for the entry relating to prescribed disease C13 there shall be substituted –

“C13.	Cirrhosis of the liver.	Exposure to chlorinated naphthalenes.”;

(j) for the entry relating to prescribed disease C16 there shall be substituted –

“C16.	(a) Neurotoxicity; } (b) cardiotoxicity. }	Exposure to the dust of gonioma kamassi.”;

(k) for the entry relating to prescribed disease C17 there shall be substituted –

“C17.	Chronic beryllium disease.	Inhalation of beryllium or a beryllium compound.”;

(l) for the entry relating to prescribed disease C18 there shall be substituted –

“C18.	Emphysema.	Inhalation of cadmium fumes for a period of, or periods which amount in aggregate to, 20 years or more.”;

(m) for the entry relating to prescribed disease C19 there shall be substituted –

"C19.	(a) Peripheral neuropathy; } (b) central nervous system toxicity. }	Exposure to acrylamide.";

(n) in the entry relating to prescribed disease C20 for the entry in the second column there shall be substituted –

"Exposure to quinone or hydroquinone.";

(o) for the entry relating to prescribed disease C21 there shall be substituted –

"C21.	Primary carcinoma of the skin.	Exposure to arsenic or arsenic compounds, tar, pitch, bitumen, mineral oil (including paraffin) or soot.";

(p) for the entry relating to prescribed disease C22 there shall be substituted –

"C22.	(a) Primary carcinoma of the mucous membrane of the nose or paranasal sinuses; } (b) primary carcinoma of the bronchus or lung. }	Work before 1950 in the refining of nickel involving exposure to oxides, sulphides or water-soluble compounds of nickel.";

(q) for the entry relating to prescribed disease C23 there shall be substituted –

"C23.	Primary neoplasm of the epithelial lining of the urinary tract.	(a) The manufacture of 1-naphthylamine, 2-naphthylamine, benzidine, auramine, magenta or 4-aminobiphenyl (also called biphenyl-4-ylamine); (b) work in the process of manufacturing methylene-bis-orthochloroaniline (also called MbOCA) for a period of, or periods which amount in