STATUTORY RULES OF NORTHERN IRELAND

2000 No. 134

SOCIAL SECURITY

Pneumoconiosis, etc., (Workers' Compensation) (Payment of Claims) (Amendment) Regulations (Northern Ireland) 2000

Made - - - - 18th April 2000
To be laid before Parliament under paragraph 7(3) of the Schedule to the Northern Ireland Act 2000

Coming into operation 1st June 2000

The Department of Higher and Further Education, Training and Employment, in exercise of the powers conferred by Articles 2(2), 3(3), 4(3), 11(1) and (4) of the Pneumoconiosis, etc., (Workers' Compensation) (Northern Ireland) Order 1979(**1**) and now vested in it(**2**) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Pneumoconiosis, etc., (Workers' Compensation) (Payment of Claims) (Amendment) Regulations (Northern Ireland) 2000 and shall come into operation on 1st June 2000.

(2) In these Regulations—

(a) "the Order" means the Pneumoconiosis, etc., (Workers' Compensation) (Northern Ireland) Order 1979;

(b) "the principal Regulations" means the Pneumoconiosis, etc., (Workers' Compensation) (Payment of Claims) Regulations (Northern Ireland) 1988(**3**).

Amendment of the principal Regulations

2.—(1) The principal Regulations shall be amended in accordance with paragraphs (2) to (4) in relation to any case in which a person first satisfies the conditions of entitlement to a payment under the Order on or after 1st June 2000.

(**1**) S.I.1979/925 (N.I. 9); relevant amending legislation is S.I. 1985/1209 (N.I. 16) Article 22, S.I. 1986/1888 (N.I. 18) Schedule 3, paragraph 17 and 1992 c. 9 Schedule 2, paragraph 22

(**2**) The Departments (Transfer and Assignment of Functions) Order (Northern Ireland) 1999 (S.R. 1999 No. 481) transferred functions under the Pneumoconiosis, etc,. (Workers' Compensation) (Northern Ireland) Order 1979 to the Department of Higher and Further Education, Training and Employment

(**3**) S.R. 1988 No. 242 as amended by S.R. 1989 No. 240, S.R. 1991 No. 120, S.R. 1992 No. 213, S.R. 1993 No. 325, S.R. 1995 No. 338, S.R. 1996 No. 485, S.R. 1997 No. 409 and S.R. 1998 No. 358

(2) For the Schedule to the principal Regulations there shall be substituted the Schedule set out in the Schedule to these Regulations.

(3) In regulations 5(2) (payment where death results from diffuse mesothelioma) and 7 (minimum amount payable to dependant) for "£1,943" in each place where it occurs there shall be substituted "£1,992".

(4) In regulation 6(1) (payment where pneumoconiosis is accompanied by tuberculosis) for "£4,020" (in each place where it occurs) there shall be substituted "£4,121".

Sealed with the Official Seal of the Department of Higher and Further Education, Training and Employment on 18th April 2000.

R. B. Gamble
A senior officer of the
Department of Higher and Futher Education,
Training and Employment

SCHEDULE Regulation 2(2)

"SCHEDULE Regulations 3, 4 and 6

Table 1

(1) Table 1 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 (payment where pneumoconiosis is accompanied by tuberculosis) the first period specified in paragraph 6(1)(*b*).

(3) The age to be taken for the purpose of determining the amount payable to a disabled person is his age on the date specified in regulation 3(2) or, in the case of a disabled person to whom regulation 6 applies (payment where pneumoconiosis is accompanied by tuberculosis), regulation 6(1). 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.

Payments to Disabled Persons to whom is payable Disablement Benefit under Section 108 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 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

	Percentage assessment for the relevant period									
Age of disabled person	10% or less	11%-20%	21%-30%	31%-40%	41%-50%	51%-60%	61%-70%	71%-80%	81%-90%	91%-100%
	£	£	£	£	£	£	£	£	£	£
37 and under	23,066	41,192	48,330	49,703	51,076	52,174	53,274	54,371	55,470	56,568
38	22,407	39,542	46,874	48,552	49,976	51,076	52,174	53,274	54,371	55,470
39	21,747	37,894	45,419	47,396	48,880	49,976	51,076	52,174	53,274	54,371
40	21,090	36,246	43,964	46,242	47,779	48,880	49,976	51,076	52,174	53,274
41	20,430	34,600	42,509	45,088	46,683	47,779	48,880	49,976	51,076	52,174
42	19,768	32,953	41,053	43,938	45,584	46,683	47,779	48,880	49,976	51,076
43	18,783	31,030	39,597	43,058	44,817	46,134	47,231	48,330	49,429	50,528
44	17,794	29,107	38,141	42,179	44,046	45,584	46,683	47,779	48,880	49,976
45	16,807	27,185	36,687	41,300	43,279	45,034	46,134	47,231	48,330	49,429
46	15,817	25,264	35,232	40,422	42,509	44,486	45,584	46,683	47,779	48,880
47	14,830	23,341	33,776	39,542	41,740	43,938	45,034	46,134	47,231	48,330
48	13,977	22,571	32,624	37,785	40,422	42,396	43,498	44,595	45,692	46,793
49	13,126	21,804	31,470	36,028	39,106	40,860	41,959	43,058	44,158	45,256

	Percentage assessment for the relevant period									
Age of disabled person	10% or less	11%-20%	21%-30%	31%-40%	41%-50%	51%-60%	61%-70%	71%-80%	81%-90%	91%-100%
	£	£	£	£	£	£	£	£	£	£
50	12,275	21,035	30,338	34,271	37,785	39,322	40,422	41,520	42,617	43,716
51	11,425	20,266	29,161	32,513	36,467	37,785	38,895	39,980	41,081	42,179
52	10,572	19,497	28,010	30,755	35,148	36,246	37,348	38,444	39,542	40,640
53	9,775	18,125	26,251	29,218	33,830	35,148	36,246	37,348	38,444	39,542
54	8,979	16,752	24,493	27,682	32,513	34,052	35,148	36,246	37,348	38,444
55	8,183	15,378	22,739	26,142	31,194	32,953	34,052	35,148	36,246	37,348
56	7,386	14,004	20,980	24,605	29,878	31,854	32,953	34,052	35,148	36,246
57	6,591	12,631	19,223	23,066	28,563	30,756	31,854	32,953	34,052	35,148
58	6,069	11,480	17,165	20,703	25,701	27,735	28,915	30,070	31,194	32,294
59	5,546	10,324	15,102	18,344	22,845	24,714	25,977	27,185	28,339	29,435
60	5,027	9,171	13,043	15,981	19,993	21,694	23,038	24,303	25,485	26,583
61	4,503	8,018	10,985	13,619	17,136	18,673	20,099	21,419	22,628	23,725
62	3,982	6,865	8,925	11,258	14,281	15,653	17,165	18,536	19,768	20,869
63	3,706	6,205	8,018	10,066	12,702	14,058	15,488	16,807	18,013	19,112
64	3,437	5,546	7,111	8,869	11,121	12,467	13,814	15,076	16,255	17,353
65	3,159	4,887	6,205	7,678	9,543	10,874	12,137	13,347	14,500	15,598
66	2,884	4,231	5,300	6,479	7,965	9,281	10,463	11,615	12,743	13,840
67	2,610	3,569	4,392	5,286	6,385	7,691	8,787	9,886	10,985	12,083
68	2,539	3,458	4,242	5,066	6,167	7,386	8,444	9,584	10,640	11,725
69	2,471	3,350	4,093	4,848	5,947	7,086	8,103	9,281	10,300	11,367
70	2,403	3,241	3,939	4,627	5,726	6,781	7,758	8,979	9,954	11,013
71	2,335	3,129	3,790	4,406	5,505	6,479	7,415	8,679	9,612	10,657
72	2,266	3,022	3,639	4,189	5,286	6,180	7,070	8,376	9,266	10,300
73	2,210	2,968	3,584	4,106	5,203	6,041	6,934	8,157	8,993	9,996
74	2,156	2,910	3,529	4,023	5,123	5,903	6,798	7,937	8,720	9,687
75	2,102	2,857	3,475	3,939	5,038	5,767	6,659	7,716	8,444	9,390
76	2,046	2,799	3,417	3,859	4,956	5,631	6,523	7,498	8,168	9,091
77 and over	1,992	2,745	3,364	3,775	4,874	5,492	6,385	7,280	7,895	8,787