STATUTORY RULES OF NORTHERN IRELAND

1997 No. 409

SOCIAL SECURITY

Pneumoconiosis, etc., (Workers' Compensation) (Payment of Claims) (Amendment) Regulations (Northern Ireland) 1997

Made - - - - 8th September 1997
To be laid before Parliament under paragraph 3(3) of Schedule 1 to the Northern Ireland Act 1974

Coming into operation 20th October 1997

The Department of Economic Development(**1**), in exercise of the powers conferred on it by Articles 3(3), 4(3), 11(1) and (4) of the Pneumoconiosis, etc., (Workers' Compensation) (Northern Ireland) Order 1979(**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) 1997 and shall come into operation on 20th October 1997.

(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 20th October 1997.

(**1**) Formerly the Department of Manpower Services: *See*S.I. 1982/846 (N.I. 11) Article 3
(**2**) S.I. 1979/925 (N.I. 9); relevant amending legislation is S.I. 1985/1209 (N.I. 16) Article 22 and S.I. 1986/1888 (N.I. 18), Article 40 and Schedule 3, paragraph 17 and 1992 c. 9 Schedule 2, paragraph 22
(**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 and S.R. 1996 No. 485

(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 "£1,803" in each place where it occurs there shall be substituted "£1,852".

(4) In regulation 6(1) (Payment where pneumoconiosis is accompanied by tuberculosis) for "£3,731" in each place where it occurs there shall be substituted "£3,832".

Sealed with the Official Seal of the Department of Economic Development on

(l.s.)

G. I. O'Doherty
8th September 1997. Assistant Secretary

SCHEDULE Regulation 2(2)

"SCHEDULE Regulations 3, 4, 5 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 period specified in paragraph (1)(*b*) of that regulation.

(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), his age on the date specified in paragraph (1) of that regulation. With a view to 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

Age of disabled person	Percentage assessment for the relevant period									
	10% *or less*	11-20%	21-30%	40%	50%	60%	70%	80%	90%	100%
	£	£	£	£	£	£	£	£	£	£
37 and under	21,452	38,309	44,949	46,226	47,502	48,523	49,547	50,567	51,589	52,610
38	20,839	36,776	43,595	45,155	46,480	47,502	48,523	49,547	50,567	51,589
39	20,226	35,243	42,242	44,080	45,461	46,480	47,502	48,523	49,547	50,567
40	19,614	33,710	40,889	43,007	44,436	45,461	46,480	47,502	48,523	49,547
41	19,001	32,179	39,535	41,993	43,417	44,436	45,461	46,480	47,502	48,523
42	18,386	30,648	38,181	40,864	42,395	43,417	44,436	45,461	46,480	47,502
43	17,469	28,859	36,827	40,046	41,682	42,906	43,927	44,949	45,970	46,994
44	16,550	27,071	35,473	39,228	40,964	42,395	43,417	44,436	45,461	46,480
45	15,631	25,283	34,120	38,411	40,250	41,884	42,906	43,927	44,949	45,970
46	14,710	23,496	32,768	37,594	39,535	41,373	42,395	43,417	44,436	45,461
47	13,792	21,708	31,413	36,776	38,820	40,864	41,884	42,906	43,927	44,949
48	12,999	20,991	30,341	35,141	37,594	39,430	40,455	41,475	42,495	43,520

Age of disabled person	Percentage assessment for the relevant period									
10% *or less*	11-20%	21-30%	40%	50%	60%	70%	80%	90%	100%	
	£	£	£	£	£	£	£	£	£	£
49	12,207	20,278	29,268	33,507	36,370	38,001	39,023	40,046	41,068	42,089
50	11,417	19,563	28,216	31,873	35,141	36,571	37,594	38,615	39,636	40,658
51	10,625	18,848	27,121	30,239	33,916	35,141	36,173	37,183	38,207	39,228
52	9,832	18,133	26,051	28,604	32,689	33,710	34,735	35,754	36,776	37,797
53	9,091	16,857	24,415	27,174	31,463	32,689	33,710	34,735	35,754	36,776
54	8,351	15,580	22,780	25,745	30,239	31,669	32,689	33,710	34,735	35,754
55	7,610	14,302	21,147	24,313	29,012	30,648	31,669	32,689	33,710	34,735
56	6,869	13,024	19,512	22,884	27,787	29,625	30,648	31,669	32,689	33,710
57	6,130	11,747	17,878	21,452	26,564	28,604	29,625	30,648	31,669	32,689
58	5,644	10,677	15,963	19,255	23,903	25,795	26,893	27,966	29,012	30,034
59	5,158	9,602	14,046	17,061	21,247	22,985	24,159	25,283	26,357	27,376
60	4,675	8,529	12,131	14,862	18,594	20,177	21,426	22,603	23,702	24,723
61	4,188	7,456	10,216	12,667	15,937	17,367	18,693	19,921	21,045	22,065
62	3,704	6,385	8,300	10,470	13,282	14,557	15,963	17,239	18,386	19,409
63	3,447	5,771	7,456	9,362	11,813	13,075	14,404	15,631	16,753	17,775
64	3,196	5,158	6,614	8,249	10,343	11,595	12,847	14,021	15,118	16,140
65	2,938	4,546	5,771	7,141	8,875	10,113	11,288	12,413	13,486	14,507
66	2,682	3,935	4,929	6,026	7,408	8,632	9,731	10,802	11,851	12,871
67	2,427	3,320	4,085	4,916	5,938	7,152	8,173	9,195	10,216	11,237
68	2,361	3,216	3,946	4,711	5,736	6,869	7,853	8,913	9,895	10,905
69	2,298	3,115	3,806	4,509	5,531	6,590	7,536	8,632	9,580	10,572
70	2,234	3,015	3,664	4,303	5,325	6,307	7,215	8,351	9,258	10,242
71	2,172	2,911	3,525	4,098	5,120	6,026	6,896	8,072	8,940	9,911
72	2,108	2,810	3,384	3,896	4,916	5,747	6,576	7,790	8,618	9,580
73	2,055	2,761	3,333	3,819	4,839	5,618	6,449	7,586	8,364	9,297
74	2,005	2,706	3,282	3,741	4,765	5,490	6,322	7,381	8,110	9,009
75	1,956	2,657	3,232	3,664	4,685	5,363	6,194	7,176	7,853	8,734
76	1,903	2,604	3,178	3,589	4,610	5,238	6,067	6,973	7,597	8,455
77 and over	1,852	2,553	3,129	3,511	4,533	5,108	5,938	6,771	7,342	8,173