STATUTORY RULES OF NORTHERN IRELAND

1996 No. 485

SOCIAL SECURITY

Pneumoconiosis, etc., (Workers' Compensation) (Payment of Claims) (Amendment) Regulations (Northern Ireland) 1996

Made - - - - 9th October 1996
To be laid before Parliament under paragraph (3) of Schedule 1 to the Northern Ireland Act 1974

Coming into operation 20th November 1996

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) 1996 and shall come into operation on 20th November 1996.

(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 November 1996.

(**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 and S.R. 1995 No. 338

(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 "£1,766" in each place where it occurs there shall be substituted "£1,803".

(4) In regulation 6(1) (Payment where pneumoconiosis is accompanied by tuberculosis) for "£3,654" in each place where it occurs there shall be substituted "£3,731".

Sealed with the Official Seal of the Department of Economic Development on 9th October 1996.

W. D. A. Haire
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	20,888	37,302	43,767	45,011	46,253	47,248	48,244	49,238	50,233	51,227
38	20,291	35,810	42,449	43,968	45,258	46,253	47,248	48,244	49,238	50,233
39	19,694	34,317	41,131	42,921	44,265	45,258	46,253	47,248	48,244	49,238
40	19,099	32,824	39,814	41,876	43,268	44,265	45,258	46,253	47,248	48,244
41	18,502	31,333	38,496	40,831	42,276	43,268	44,265	45,258	46,253	47,248
42	17,902	29,842	37,178	39,789	41,280	42,276	43,268	44,265	45,258	46,253
43	17,010	28,100	35,859	38,993	40,586	41,778	42,772	43,767	44,762	45,758
44	16,114	26,359	34,540	38,197	39,887	41,280	42,276	43,268	44,265	45,258
45	15,220	24,618	33,223	37,401	39,192	40,783	41,778	42,772	43,767	44,762
46	14,324	22,879	31,906	36,606	38,496	40,286	41,280	42,276	43,268	44,265
47	13,429	21,138	30,587	35,810	37,799	39,789	40,783	41,778	42,772	43,767

Age of disabled person	Percentage assessment for the relevant period									
	10% or less	11-20%	21-30%	40%	50%	60%	70%	80%	90%	100%
	£	£	£	£	£	£	£	£	£	£
48	12,657	20,439	29,544	34,217	36,606	38,394	39,391	40,385	41,378	42,376
49	11,886	19,745	28,498	32,626	35,413	37,002	37,998	38,993	39,988	40,983
50	11,117	19,049	27,474	31,035	34,217	35,609	36,606	37,599	38,594	39,589
51	10,346	18,352	26,408	29,444	33,024	34,217	35,222	36,206	37,202	38,197
52	9,574	17,656	25,366	27,852	31,830	32,824	33,822	34,814	35,810	36,803
53	8,852	16,414	23,773	26,459	30,636	31,830	32,824	33,822	34,814	35,810
54	8,131	15,170	22,181	25,069	29,444	30,836	31,830	32,824	33,822	34,814
55	7,410	13,926	20,592	23,674	28,249	29,842	30,836	31,830	32,824	33,822
56	6,689	12,682	18,999	22,282	27,057	28,846	29,842	30,836	31,830	32,824
57	5,969	11,438	17,408	20,888	25,866	27,852	28,846	29,842	30,836	31,830
58	5,496	10,396	15,544	18,749	23,275	25,117	26,186	27,231	28,249	29,245
59	5,022	9,349	13,676	16,613	20,689	22,380	23,524	24,618	25,664	26,656
60	4,552	8,305	11,812	14,472	18,105	19,646	20,863	22,009	23,079	24,073
61	4,078	7,260	9,948	12,334	15,518	16,911	18,201	19,397	20,491	21,485
62	3,606	6,217	8,082	10,195	12,933	14,175	15,544	16,786	17,902	18,899
63	3,356	5,620	7,260	9,115	11,503	12,731	14,025	15,220	16,313	17,308
64	3,112	5,022	6,440	8,032	10,071	11,290	12,509	13,653	14,721	15,715
65	2,861	4,426	5,620	6,953	8,642	9,848	10,991	12,087	13,131	14,126
66	2,612	3,832	4,800	5,868	7,213	8,405	9,475	10,518	11,539	12,533
67	2,364	3,232	3,978	4,786	5,782	6,964	7,958	8,953	9,948	10,942
68	2,299	3,131	3,842	4,587	5,585	6,689	7,646	8,679	9,635	10,618
69	12,509	13,653	14,721	15,715						
65	2,861	4,426	5,620	6,953	8,642	9,848	10,991	12,087	13,131	14,126
66	2,612	3,832	4,800	5,868	7,213	8,405	9,475	10,518	11,539	12,533
67	2,364	3,232	3,978	4,786	5,782	6,964	7,958	8,953	9,948	10,942
68	2,299	3,131	3,842	4,587	5,585	6,689	7,646	8,679	9,635	10,618
69	6,279	7,387	8,145	9,052						
74	1,952	2,635	3,196	3,643	4,639	5,346	6,156	7,187	7,896	8,772
75	1,904	2,587	3,147	3,567	4,562	5,222	6,031	6,988	7,646	8,504