STATUTORY RULES OF NORTHERN IRELAND

1996 No. 57

SOCIAL SECURITY

The Social Security (Industrial Injuries and Diseases) (Miscellaneous Amendments) Regulations (Northern Ireland) 1996

Made - - - -	*29th February 1996*
Coming into operation	*24th March 1996*

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by sections 108(2), 109(2) and (3) and 113(1)(*b*) of, and paragraph 13(8) and (9) of Schedule 7 to, the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**1**) and sections 5(1)(*l*) and 25(1)(*b*) of the Social Security Administration (Northern Ireland) Act 1992(**2**) and of all other powers enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Industrial Injuries and Diseases) (Miscellaneous Amendments) Regulations (Northern Ireland) 1996 and shall come into operation on 24th March 1996.

(2) The Interpretation Act (Northern Ireland) 1954(**3**) shall apply to these Regulations as it applies to a Measure of the Assembly.

Amendment of the Social Security (General Benefit) Regulations

2. In regulation 2 of the Social Security (General Benefit) Regulations (Northern Ireland) 1984(**4**) (exceptions from disqualification for imprisonment, etc.)—

(a) in paragraph (2) for "reduced earnings allowance" there shall be substituted "reduced earnings allowance, retirement allowance";

(b) for paragraph (6) there shall be substituted the following paragraph—

(**1**) 1992 c. 7; paragraph 13 of Schedule 7 was amended by paragraph 41(3) of Schedule 1 to the Social Security (Incapacity for Work) (Northern Ireland) Order 1994 (S.I.1994/1898 (N.I. 12))
(**2**) 1992 c. 8
(**3**) 1954 c. 33 (N.I.)
(**4**) S.R. 1984 No. 92; relevant amending regulations are S.R. 1984 No. 317, S.R. 1986 No. 340, S.R. 1992 No. 6 and S.R. 1995 No. 150

"(6) Subject to paragraph (7), that section shall not operate to disqualify a person for receiving disablement benefit, other than any increase of that benefit, for any period during which he is undergoing imprisonment or detention in legal custody.".

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

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

(2) In regulation 4(1) (presumption that a disease is due to the nature of employment) "D4," shall be omitted.

(3) In Part I of Schedule 1 (list of prescribed diseases and the occupations for which they are prescribed)—

(a) in the entry in the second column relating to the disease numbered A10 (occupational deafness), in paragraph (*a*) "in the metal producing industry" shall be omitted;

(b) for the entry in the second column relating to the disease numbered A12 (carpal tunnel syndrome) there shall be substituted the following entry—

"The use of hand-held powered tools whose internal parts vibrate so as to transmit that vibration to the hand, but excluding those which are solely powered by hand.";

(c) after the entry relating to the disease numbered C29 (peripheral neuropathy due to exposure to n-hexane or methyl n-butyl ketone) there shall be inserted the following entry —

(i) in the first column, the following disease—

"**C30.** Chrome dermatitis, or ulceration of the mucous membranes or the epidermis, resulting from exposure to chromic acid, chromates or bi-chromates.";

(ii) in the second column, against the disease numbered C30—

"The use or handling of, or exposure to, chromic acid, chromates or bi-chromates.";

(d) for the entry relating to the disease numbered D4 (inflammation or ulceration of the mucous membrane of the upper respiratory passages or mouth produced by dust, liquid or vapour) there shall be substituted the following entry—

(i) in the first column, the following disease—

"**D4.** Allergic rhinitis which is due to exposure to any of the following agents—

(a) isocyanates;

(b) platinum salts;

(c) fumes or dusts arising from the manufacture, transport or use of hardening agents (including epoxy resin curing agents) based on phthalic anhydride, tetrachlorophthalic anhydride, trimellitic anhydride or triethylene-tetramine;

(d) fumes arising from the use of rosin as a soldering flux;

(e) proteolytic enzymes;

(**5**) 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. 1994 No. 347

(f) animals including insects and other arthropods used for the purposes of research or education or in laboratories;

(g) dusts arising from the sowing, cultivation, harvesting, drying, handling, milling, transport or storage of barley, oats, rye, wheat or maize, or the handling, milling, transport or storage of meal or flour made therefrom;

(h) antibiotics;

(i) cimetidine;

(j) wood dust;

(k) ispaghula;

(l) castor bean dust;

(m) ipecacuanha;

(n) azodicarbonamide;

(o) animals including insects and other arthropods or their larval forms, used for the purposes of pest control or fruit cultivation, or the larval forms of animals used for the purposes of research or education or in laboratories;

(p) glutaraldehyde;

(q) persulphate salts or henna;

(r) crustaceans or fish or products arising from these in the food processing industry;

(s) reactive dyes;

(t) soya bean;

(u) tea dust;

(v) green coffee bean dust;

(w) fumes from stainless steel welding.";

(ii) in the second column, against the disease numbered D4—

"Exposure to any of the agents set out in the first column of this paragraph.";

(e) in the entry relating to the disease numbered D5 (non-infective dermatitis of external origin)—

(i) in the first column "including chrome ulceration of the skin but" shall be omitted;

(ii) in the second column after "external agent" there shall be inserted "except chromic acid, chromates or bi-chromates,".

Amendment of the Social Security (Claims and Payments) Regulations

4. In regulation 19 of the Social Security (Claims and Payments) Regulations (Northern Ireland) 1987(**6**) (time for claiming benefit)—

(a) in paragraph (2) for "paragraph (4)" there shall be substituted "paragraphs (4) and (4A)";

(b) after paragraph (4) there shall be inserted the following paragraph—

"(4A) For the purpose only of determining the date from which benefit is to be payable, the prescribed time for claiming reduced earnings allowance shall not be

(**6**) S.R. 1987 No. 465; relevant amending regulations are S.R. 1988 No. 141