1992 No. 213

SOCIAL SECURITY

Pneumoconiosis, etc., (Workers' Compensation) (Payment of Claims) (Amendment) Regulations (Northern Ireland) 1992

Made . . . . . *14th May 1992*

Coming into operation . . *25th June 1992*

To be laid before Parliament under paragraph 3(3) of Schedule 1 to the Northern Ireland Act 1974

The Department of Economic Development(**a**), 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(**b**) (''the Order'') and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Pneumoconiosis, etc., (Workers' Compensation) (Payment of Claims) (Amendment) Regulations (Northern Ireland) 1992 and shall come into operation on 25th June 1992.

Interpretation

2. In these Regulations the ''principal Regulations'' means the Pneumoconiosis, etc., (Workers' Compensation) (Payment of Claims) Regulations (Northern Ireland) 1988(**c**).

Amendment of the principal Regulations

3.—(1) The principal Regulations shall be amended in accordance with the following provisions of this regulation in relation to any case in which a person first satisfies the conditions of entitlement to a payment under the Order on or after the date upon which these Regulations come into operation.

(2) For the Schedule to the principal Regulations there shall be substituted the Schedule.

(3) In regulations 5(2) and 7 of the principal Regulations for ''£1,606'' there shall be substituted ''£1,686''.

(a) Formerly the Department of Manpower Services; *see* S.I. 1982/846 (N.I. 11) Article 3

(b) S.I. 1979/925 (N.I. 9) as amended by S.I. 1985/1209 (N.I. 16) Article 22 and S.I. 1986/1888 (N.I. 18), Article 40 and Schedule 3

(c) S.R. 1988 No. 242 as amended by S.R. 1989 No. 240 and S.R. 1991 No. 120

(4) In regulation 6(1) of the principal Regulations for "£3,322" wherever it occurs there shall be substituted "£3,488".

Sealed with the Official Seal of the Department of Economic Development on 14th May 1992.

(L.S.) *R. B. Spence*
Under Secretary

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 76 OF THE SOCIAL SECURITY (NORTHERN IRELAND) ACT 1975 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	19,530	34,877	40,921	42,084	43,246	44,176	45,107	46.036	46,967	47,896
38	18,972	33,481	39,689	41,109	42,315	43,246	44,176	45,107	46,036	46,967
39	18,414	32,085	38,457	40,130	41,387	42,315	43,246	44,176	45,107	46,036
40	17,857	30,690	37,225	39,153	40,455	41,387	42,315	43,246	44,176	45,107
41	17,299	29,296	35,992	38,176	39,527	40,455	41,387	42,315	43,246	44,176
42	16,739	27,901	34,760	37,202	38,596	39,527	40,455	41,387	42,315	43,246
43	15,903	26,273	33,527	36,458	37,946	39,061	39,990	40,921	41,851	42,782
44	15,066	24,645	32,295	35,713	37,294	38,596	39,527	40,455	41,387	42,315
45	14,230	23,018	31,063	34,969	36,644	38,131	39,061	39,990	40,921	41,851
46	13,392	21,391	29,831	34,225	35,992	37,666	38,596	39,527	40,455	41,387
47	12,556	19,763	28,598	33,481	35,341	37,202	38,131	39,061	39,990	40,921
48	11,834	19,110	27,622	31,992	34,225	35,898	36,829	37,759	38,688	39,620
49	11,113	18,461	26,645	30,504	33,110	34,596	35,527	36,458	37,388	38,318
50	10,394	17,810	25,668	29,018	31,992	33,294	34,225	35,154	36,084	37,015
51	9,673	17,159	24,691	27,529	30,877	31,992	32,923	33,852	34,783	35,713
52	8,951	16,508	23,716	26,041	29,760	30,690	31,622	32,550	33,481	34,410
53	8,276	15,346	22,227	24,739	28,644	29,760	30,690	31,622	32,550	33,481
54	7,603	14,183	20,739	23,438	27,529	28,831	29,760	30,690	31,622	32,550
55	6,929	13,020	19,253	22,135	26,412	27,901	28,831	29,760	30,690	31,622
56	6,254	11,858	17,763	20,833	25,298	26,971	27,901	28,831	29,760	30,690
57	5,580	10,695	16,276	19,530	24,182	26,041	26,971	27,901	28,831	29,760