1991 No. 120

SOCIAL SECURITY

Pneumoconiosis, etc., (Workers' Compensation) (Payment of Claims) (Amendment) Regulations (Northern Ireland) 1991

Made . . . . . *25th March 1991*

Coming into operation . . *10th May 1991*

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) and 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) 1991 and shall come into operation on 10th May 1991.

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 ''£1,364'' there shall be substituted ''£1,606''.

(4) In regulation 6(1) of the principal Regulations for ''£2,822'' wherever it occurs there shall be substituted ''£3,322''.

(**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

Sealed with the Official Seal of the Department of Economic Development on 25th March 1991.

(L.S.) *R. Gamble*
Assistant 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	18,600	33,216	38,972	40,080	41,187	42,072	42,959	43,844	44,730	45,615
38	18,069	31,887	37,799	39,151	40,300	41,187	42,072	42,959	43,844	44,730
39	17,537	30,557	36,626	38,219	39,416	40,300	41,187	42,072	42,959	43,844
40	17,007	29,229	35,452	37,289	38,529	39,416	40,300	41,187	42,072	42,959
41	16,475	27,901	34,278	36,358	37,645	38,529	39,416	40,300	41,187	42,072
42	15,942	26,572	33,105	35,430	36,758	37,645	38,529	39,416	40,300	41,187
43	15,146	25,022	31,930	34,722	36,139	37,201	38,086	38,972	39,858	40,745
44	14,349	23,471	30,757	34,012	35,518	36,758	37,645	38,529	39,416	40,300
45	13,552	21,922	29,584	33,304	34,899	36,315	37,201	38,086	38,972	39,858
46	12,754	20,372	28,410	32,595	34,278	35,872	36,758	37,645	38,529	39,416
47	11,958	18,822	27,236	31,887	33,658	35,430	36,315	37,201	38,086	38,972
48	11,270	18,200	26,307	30,469	32,595	34,189	35,075	35,961	36,846	37,733
49	10,584	17,582	25,376	29,051	31,533	32,949	33,835	34,722	35,608	36,493
50	9,899	16,962	24,446	27,636	30,469	31,709	32,595	33,480	34,366	35,252
51	9,212	16,342	23,515	26,218	29,407	30,469	31,355	32,240	33,127	34,012
52	8,525	15,722	22,587	24,801	28,343	29,229	30,116	31,000	31,887	32,771
53	7,882	14,615	21,169	23,561	27,280	28,343	29,229	30,116	31,000	31,887
54	7,241	13,508	19,751	22,322	26,218	27,458	28,343	29,229	30,116	31,000
55	6,599	12,400	18,336	21,081	25,154	26,572	27,458	28,343	29,229	30,116
56	5,956	11,293	16,917	19,841	24,093	25,687	26,572	27,458	28,343	29,229
57	5,314	10,186	15,501	18,600	23,030	24,801	25,687	26,572	27,458	28,343
58	4,894	9,257	13,841	16,695	20,725	22,365	23,317	24,248	25,154	26,040