1989 No. 240

SOCIAL SECURITY

Pneumoconiosis, etc., (Workers' Compensation) (Payment of Claims) (Amendment) Regulations (Northern Ireland) 1989

Made . . . . . *23rd June 1989*

Coming into operation . . *7th August 1989*

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) 1989 and shall come into operation on 7th August 1989.

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 within 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 ''£1,263'' there shall be substituted ''£1,364''.

(4) In regulation 6(1) of the principal Regulations for ''£2,613'' wherever it occurs there shall be substituted ''£2,822''.

(**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

Sealed with the Official Seal of the Department of Economic Development on 23rd June 1989.

(L.S.) *R. G. Smartt*
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	15,801	28,216	33,106	34,047	34,988	35,739	36,492	37,244	37,997	38,749
38	15,349	27,087	32,110	33,258	34,234	34,988	35,739	36,492	37,244	37,997
39	14,897	25,958	31,112	32,466	33,483	34,234	34,988	35,739	36,492	37,244
40	14,447	24,829	30,115	31,676	32,730	33,483	34,234	34,988	35,739	36,492
41	13,995	23,701	29,118	30,885	31,978	32,730	33,483	34,234	34,988	35,739
42	13,542	22,572	28,122	30,097	31,225	31,978	32,730	33,483	34,234	34,988
43	12,866	21,255	27,124	29,495	30,699	31,601	32,353	33,106	33,858	34,611
44	12,189	19,938	26,128	28,892	30,172	31,225	31,978	32,730	33,483	34,234
45	11,512	18,622	25,130	28,291	29,645	30,849	31,601	32,353	33,106	33,858
46	10,834	17,305	24,133	27,688	29,118	30,473	31,225	31,978	32,730	33,483
47	10,158	15,989	23,136	27,087	28,592	30,097	30,849	31,601	32,353	33,106
48	9,574	15,461	22,347	25,883	27,688	29,043	29,795	30,548	31,300	32,053
49	8,991	14,936	21,556	24,678	26,786	27,990	28,742	29,495	30,248	31,000
50	8,409	14,408	20,767	23,476	25,883	26,936	27,688	28,441	29,193	29,945
51	7,825	13,882	19,976	22,271	24,980	25,883	26,635	27,387	28,141	28,892
52	7,242	13,355	19,187	21,068	24,077	24,829	25,583	26,334	27,087	27,838
53	6,696	12,415	17,982	20,014	23,174	24,077	24,829	25,583	26,334	27,087
54	6,151	11,474	16,778	18,962	22,271	23,325	24,077	24,829	25,583	26,334
55	5,606	10,533	15,576	17,907	21,368	22,572	23,325	24,077	24,829	25,583
56	5,060	9,594	14,371	16,854	20,467	21,820	22,572	23,325	24,077	24,829
57	4,514	8,653	13,168	15,801	19,563	21,068	21,820	22,572	23,325	24,077