1976 No. 3

SOCIAL SECURITY

The Social Security (Industrial Injuries) (Prescribed Diseases) (Amendment) Regulations (Northern Ireland) 1976

Made . . . . . *6th January* 1976

Coming into operation . . . *2nd February* 1976

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by sections 76(2) and (4)(*a*) and 77(2)(*a*) of the Social Security (Northern Ireland) Act 1975(**a**), and of all other powers enabling it in that behalf, hereby makes the following regulations:

Citation and commencement

1. These regulations, which may be cited as the Social Security (Industrial Injuries) (Prescribed Diseases) (Amendment) Regulations (Northern Ireland) 1976, shall be read as one with the National Insurance (Industrial Injuries) (Prescribed Diseases) Regulations (Northern Ireland) 1960(**b**) (hereinafter referred to as "the principal regulations"), as amended(**c**), and shall come into operation on 2nd February 1976.

Amendment of Part I of Schedule 1 to the principal regulations

2. Part I of Schedule 1 to the principal regulations shall be amended by the addition at the end of the first and second columns thereof, respectively, of the disease, hereinafter referred to as "viral hepatitis", specified in the first column of the Schedule hereto and of the occupations set against the said disease in the second column of that Schedule.

Transitional provisions relating to prescription of viral hepatitis

3.—(1) Where a person, who has been employed on or at any time after 5th July 1948 in employed earner's employment in any occupation referred to in the second column of the Schedule hereto, is, as the result of viral hepatitis, either incapable of work or suffering from a loss of faculty on the date on which these regulations come into operation, and the disease is due to the nature of the employment, the provisions of regulation 6 of the principal regulations (date of development) shall be applied subject to the modification that the date on which these regulations come into operation shall be treated as the first day on which he was incapable of work or, as the case may be, as the day on which he first suffered from the relevant loss of faculty, and the date of development shall be determined accordingly.

(a) 1975 c. 15
(b) S.R. & O. (N.I.) 1960 No. 209 (p. 731)
(c) The relevant amending regulations are S.R. & O. (N.I.) 1961 No. 101 (p. 460); 1965 Nos. 126 (p. 448) and 215 (p. 899); 1966 Nos. 193 (p. 608) and 238 (p. 745); 1969 No. 119 (p. 462); 1972 Nos. 155 (p. 903), 209 (p. 1128) and 286 (p. 1484); 1973 No. 496 (II, p. 2968) and S.R. 1974 No. 218

(2) Where a person to whom the last foregoing paragraph applies is awarded disablement benefit in respect of viral hepatitis and claims an increase of that benefit under section 60 of the Social Security (Northern Ireland) Act 1975 (increase of disablement pension for special hardship), then, if at any time after having been employed as aforesaid, but before the date on which these regulations come into operation, that person has abandoned any occupation as a result of the disease, the fact that he has abandoned that occupation shall be disregarded in determining his regular occupation for the purposes of the said section 60.

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 6th January 1976.

(L.S.)

C. G. Oakes
Assistant Secretary