1972. No. 209 **[C]**

NATIONAL INSURANCE (INDUSTRIAL INJURIES)

Prescribed Diseases

REGULATIONS, DATED 30TH AUGUST 1972, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES UNDER THE NATIONAL INSURANCE (INDUSTRIAL INJURIES) ACTS (NORTHERN IRELAND) 1966 TO 1972.

The Ministry of Health and Social Services on behalf of the Secretary of State, in exercise of powers conferred by section 54 of the National Insurance (Industrial Injuries) Act (Northern Ireland) 1966(**a**) and section 55 of that Act, as modified by section 8 of the National Insurance (No. 2) Act (Northern Ireland) 1966(**b**) and section 5 of the National Insurance Act 1972(**c**), and of all other powers enabling it in that behalf, hereby makes the following regulations being regulations subject to negative resolution in accordance with section 80(2) of the National Insurance (Industrial Injuries) Act (Northern Ireland) 1966:

Citation and commencement

1. These regulations, which may be cited as the National Insurance (Industrial Injuries) (Prescribed Diseases) Amendment (No. 2) Regulations (Northern Ireland) 1972, shall be read as one with the National Insurance (Industrial Injuries) (Prescribed Diseases) Regulations (Northern Ireland) 1960(**d**) (hereinafter referred to as "the principal regulations") and shall come into operation on 12th September 1972.

Amendment of regulation 6 of the principal regulations

2. For the proviso to regulation 6(1) of the principal regulations (date of development) there shall be substituted the following proviso:

"Provided that—

(*a*) subject to the provisions of section 5(3) of the National Insurance Act 1972, as modified by the Second Schedule(**e**) hereto, any date of development determined for the purpose of that claim shall not preclude fresh consideration of the question whether the same person is suffering from the same disease on any subsequent claim for or award of benefit; and

(*b*) if, on the consideration of a claim, no award of benefit is made, any date of development determined for the purposes of that claim shall be disregarded for the purposes of any subsequent claim.".

Amendment of regulation 21 of the principal regulations

3. In regulation 21(2)(**f**) of the principal regulations (application of Part III of the National Insurance (Industrial Injuries) Act (Northern Ireland) 1966 and Part IV of the National Insurance Act (Northern Ireland) 1966), after the words "National Insurance (No. 2) Act (Northern Ireland) 1966" there shall be inserted the words "and by section 5 of the National Insurance Act 1972".

(**a**) 1966. c. 9 (N.I.).
(**b**) 1966. c. 16 (N.I.).
(**c**) 1972. c. 57, s.7.
(**d**) S.R. & O. (N.I.) 1960, No. 209.
(**e**) See reg. 10 of, and the Sch. to, S.R. & O. (N.I.) 1966, No. 238.
(**f**) See reg. 5 of S.R. & O. (N.I.) 1966, No. 238.