FIRST SCHEDULE

Regulation 2.

Paragraph 8 of Part I of the First Schedule to the principal regulations as amended.

Description of disease or injury	Nature of occupation
Poisoning by : 8. A nitro- or amino-derivative of benzene or of a homologue of benzene.	Any occupation involving : The use or handling of, or exposure to the fumes of, or vapour containing, a nitro- or amino-derivative of benzene or of a homologue of benzene.

SECOND SCHEDULE

Regulation 3.

11. Any occupation in or incidental to the manufacture of carbon electrodes by an industrial undertaking for use in the electrolytic extraction of aluminium from aluminium oxide, and any occupation involving substantial exposure to the dust arising therefrom.

12. Any occupation involving boiler scaling or substantial exposure to the dust arising therefrom.

Transitional Provisions and Consequential Amendments

REGULATIONS, DATED 6TH OCTOBER, 1953, MADE BY THE INDUSTRIAL INJURIES JOINT AUTHORITY AND THE MINISTRY OF LABOUR AND NATIONAL INSURANCE UNDER THE NATIONAL INSURANCE (INDUSTRIAL INJURIES) ACTS (NORTHERN IRELAND), 1946 TO 1953.

1953. No. 132

The Industrial Injuries Joint Authority, in exercise of powers conferred by sections 29 and 30 of the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946 (a) and the Ministry of Labour and National Insurance, in exercise of powers conferred by sections 25 (1) (*b*), 27 (1), 41, 51, and 55 (2) of the said Act and by section 3 (3) of, and paragraphs 2 (3) and 7 (2) of the Second Schedule to, the National Insurance (Industrial Injuries) Act (Northern Ireland), 1953 (b) and of all other powers enabling them in that behalf, hereby make the following regulations :—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the National Insurance (Industrial Injuries) (Transitional Provisions and Consequential Amendments) Regulations (Northern Ireland), 1953, and shall come into operation on the 7th October, 1953.

(2) In these regulations, unless the context otherwise requires —

" the principal Act " means the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946, as amended by the National Insurance (Industrial Injuries) (Amendment) Act (Northern Ireland), 1948 (c), the National Insurance Act (Northern Ireland), 1951 (d) and the Family Allowances and National Insurance Act (Northern Ireland), 1952 (e) ;

(a) 1946, c.21. (b) 1953. c.30. (c) 1948. c.20. (d) 1951. c.18. (e) 1952. c.14.

" the Act of 1953 " means the National Insurance (Industrial Injuries) Act (Northern Ireland), 1953 ;

" the Benefit Regulations " means the National Insurance (Industrial Injuries) (Benefit) Regulations (Northern Ireland), 1948 (**a**) ;

" the Claims and Payments Regulations " means the National Insurance (Industrial Injuries) (Claims and Payments) Regulations (Northern Ireland), 1948 (**b**) ;

" the Determination of Claims and Questions Regulations " means the National Insurance (Industrial Injuries) (Determination of Claims and Questions) Regulations (Northern Ireland), 1948 (**c**) ;

" the Prescribed Diseases Regulations " means the National Insurance (Industrial Injuries) (Prescribed Diseases) Regulations (Northern Ireland), 1948 (**d**) ;

" the Ministry " means the Ministry of Labour and National Insurance ;

" the appointed day " means the day appointed by the Minister of Labour and National Insurance for the commencement of the Act of 1953 ;

and other expressions have the same meanings as in the principal Act.

(3) Save where the context otherwise requires, references in these regulations to any enactment or regulations shall include references to such enactment or regulations as amended by any subsequent enactment, order or regulations.

(4) The Interpretation Act, 1921 (**e**) applies to the interpretation of these regulations as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

Transitional provisions relating to disablement benefit

2.—(1) In this regulation —

" the old conditions " means the conditions for entitlement to disablement benefit contained in subsection (1) of section 12 of the principal Act as originally enacted ;

" the new conditions " means the conditions for entitlement to such benefit contained in the said subsection (1) as amended by subsection (1) of section 3 of the Act of 1953.

(2) If a person, who has made a claim for disablement benefit which has been disallowed before the commencement of these regulations on the ground that the old conditions were not satisfied, wishes, without challenging that decision, to have his case reconsidered under the new conditions, he shall make a fresh claim for disablement benefit :

Provided that the Ministry may dispense with the need for making such a claim in any particular case or class of cases.

(a) S. R. & O. 1948. No. 203. (b) S. R. & O. 1948. No. 204.
(c) S. R. & O. 1948. No. 201. (d) S. R. & O. 1948. No. 212. (e) 12 Geo. V c.4.

(3) On the reconsideration of a case under the last foregoing paragraph, unless the assessment of the extent of the claimant's disablement which was made when the claim was originally disallowed enables an award of benefit to be made under the new conditions, the case shall be referred again to a medical board for the determination of the disablement questions in accordance with section 39 of the principal Act :

Provided that, notwithstanding the provisions of subsection (4) of section 12 of that Act (which subsection relates to the periods to be taken into account by assessments) the period to be taken into account by an assessment made on a reference under this paragraph shall not begin earlier than the appointed day.

(4) Where in any case the extent of the claimant's disablement is assessed after the commencement of these regulations, and the period taken into account by the assessment includes the appointed day, then, notwithstanding that it is made before that day, the degree of disablement and the period taken into account shall be specified with such particularity as will enable the claimant's right to be determined under the new conditions as well as under the old conditions.

(5) Where the period taken into account by an assessment begins before the appointed day and includes that day, and it appears therefrom that the claimant satisfies the new conditions but does not satisfy the old conditions, an award may be made, at any time after the commencement of these regulations, of the benefit which would be appropriate in the circumstances of the case if the period taken into account by the assessment began on the said day, but so as not to take effect before that day.

(6) Where an assessment is made before the appointed day but the period taken into account thereby begins on or after that day, and it appears therefrom that the claimant satisfies the new conditions, an award of such benefit as is appropriate in the circumstances of the case may be made at any time after the commencement of these regulations, but so as not to take effect before the commencement of the period so taken into account.

Special provisions relating to prescribed diseases

3.—(1) The provisions of the last foregoing regulation shall apply to persons claiming disablement benefit in respect of a prescribed disease or injury, other than pneumoconiosis, and where the case of a person who has made such a claim is referred again to a medical board in accordance with the provisions of paragraph (3) of that regulation, and a date of development has to be determined for the purposes of that claim under regulation 6 of the Prescribed Diseases Regulations, then, notwithstanding the provisions of sub-paragraph (*b*) of paragraph (2) of that regulation, the date of development shall be the first day of the period taken into account by the assessment made on that reference.