1979 No. 208

SOCIAL SECURITY

The Social Security (Industrial Injuries) (Prescribed Diseases) (Amendment No. 3) Regulations (Northern Ireland) 1979

Made . . . . . 14*th June* 1979

Coming into operation . . . 8*th August* 1979

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by sections 76(2) and (4) and 77(2) 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, interpretation and commencement

1. These regulations, which may be cited as the Social Security (Industrial Injuries) (Prescribed Diseases) (Amendment No. 3) Regulations (Northern Ireland) 1979, shall be read as one with the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations (Northern Ireland) 1977(**b**) (hereinafter referred to as "the principal regulations") and shall come into operation on 8th August 1979.

Amendment of principal regulations and transitional provisions relating to prescription of nasal carcinoma

2.—(1) 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 "nasal carcinoma", 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.

(2) 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 nasal carcinoma, 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.

(3) Where a person to whom the last foregoing paragraph applies is awarded disablement benefit in respect of nasal carcinoma 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.

(a) 1975 c. 15

(b) S.R. 1977 No. 272 (II, p. 1478); there is no amendment which relates expressly to the subject matter of these regulations

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 14th June 1979.

(L.S.) *W. J. Sloane*
Senior Assistant Secretary

SCHEDULE Regulation 2(1)

Description of disease or injury	*Nature of occupation*
51. Carcinoma of the nasal cavity or associated air sinuses (nasal carcinoma)	Any occupation involving: (*a*) attendance for work in a building used for the manufacture of footwear or components of footwear made wholly or partly of leather or fibre board; or (*b*) attendance for work at a place used wholly or mainly for the repair of footwear made wholly or partly of leather or fibre board.

EXPLANATORY NOTE

(This note is not part of the regulations but is intended to indicate their general purport.)

These regulations, by making an addition to the diseases prescribed in Part I of Schedule 1 to the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations (Northern Ireland) 1977, extend cover under the industrial injuries provisions of the Social Security (Northern Ireland) Act 1975 to nasal carcinoma in the case of persons employed in employed earner's employment in occupations involving attendance for work in a building used for the manufacture of footwear or components of footwear made wholly or partly of leather or fibre board; or attendance for work at a place used wholly or mainly for the repair of footwear made wholly or partly of leather or fibre board.

The regulations also contain transitional provisions relating to persons who are already suffering from the disease on the date when the regulations come into operation.