PART II

Employment to be included in paragraph 3 of the insurable employments Schedule

Employment as a pilot on board any ship or vessel notwithstanding that the person so employed does not hold a licence or deep sea certificate from a pilotage authority in Northern Ireland covering that employment.

SECOND SCHEDULE

REGULATIONS REVOKED *Regulation 4.*

Statutory Rules and Orders of Northern Ireland	Citation	Extent of Revocation
S.R. & O. (N.I.) 1948. No. 231.	The National Insurance (Industrial Injuries) (Insurable and Excepted Employments) Regulations (Northern Ireland), 1948.	1. In Part I of the First Schedule, as amended (a), the first and second entries in the first and second columns respectively. 2. In the Third Schedule as amended, paragraph 3 (b).
S.R. & O. (N.I.) 1949. No. 158.	The National Insurance (Industrial Injuries) (Insurable and Excepted Employments) Amendment Regulations (Northern Ireland), 1949.	The whole of the regulations.

Prescribed Diseases

REGULATIONS, DATED 19TH FEBRUARY, 1954, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE UNDER THE NATIONAL INSURANCE (INDUSTRIAL INJURIES) ACT (NORTHERN IRELAND), 1946.

1954. No. 21

The Ministry of Labour and National Insurance, in exercise of the powers conferred by sections 54, 55, 56 and 85 of the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946(c), and of all other powers enabling it in that behalf, hereby makes the following regulations:—

(a) *See* regulation 2, S.R. & O. (N.I.) 1949. No. 158.
(b) *Inserted by* regulation 3, S.R. & O. (N.I.) 1949. No. 158.
(c) 1946. c.21.

Citation, commencement and interpretation

1. These regulations, which may be cited as the National Insurance (Industrial Injuries) (Prescribed Diseases) Amendment Regulations (Northern Ireland), 1954, shall be read as one with the National Insurance (Industrial Injuries) (Prescribed Diseases) Regulations (Northern Ireland), 1948(**a**) (hereinafter referred to as "the principal regulations") as amended(**b**) and shall come into operation on the 1st March, 1954.

Amendment of regulation 1 of principal regulations

2. In paragraph (2) of regulation 1 of the principal regulations (which contains definitions), after the definition of "coal mine" there shall be inserted the following definition:—

> "'foundry' means those parts of industrial premises where the production of metal articles (other than pig iron or steel ingots) is carried on by casting (not being diecasting or other casting in metal moulds), together with any part of the same premises where any of the following processes are carried on incidentally to such production, namely, the drying and subsequent preparation of sand for moulding (including the reclamation of used moulding sand), the preparation of moulds and cores, knock-out operations and dressing or fettling operations;".

Amendments relating to occupations in relation to which pneumoconiosis is prescribed

3.—(1) There shall be substituted for paragraph (*b*) of regulation 2 of the principal regulations (which paragraph specifies the insured persons in relation to whom pneumoconiosis is prescribed) the following paragraph:—

> "(*b*) pneumoconiosis is prescribed—
>
> (i) in relation to all insured persons who have been employed on or after the appointed day in insurable employment in any occupation set out in Part II of the said Schedule; and
>
> (ii) in relation to all other insured persons who have been so employed in any occupation involving exposure to dust and who have not worked at any time (whether in insurable employment or not) in any occupation in relation to which pneumoconiosis is prescribed by virtue of regulations (apart from this sub-paragraph) in force at the relevant date as defined in regulation 2A;".

(2) The following new regulation shall be inserted after regulation 2 of the principal regulations:—

(**a**) S.R. & O. 1948. No. 212.

(**b**) S.R. & O. 1949. No. 173; S.R. & O. 1951. No. 21; S.R. & O. 1951. No. 31; S.R. & O. 1952. No. 118; S.R. & O. 1952. No. 140; S.R. & O. 1953. No. 74; S.R. & O. 1953. No. 132.

" Definition of relevant date

2A. For the purposes of sub-paragraph (ii) of paragraph (*b*) of regulation 2, the expression ' the relevant date ' means—

(*a*) in relation to any claim for disablement benefit or a claim for death benefit in respect of the death of a person to whom disablement benefit has been awarded by virtue of the said sub-paragraph (ii), the 1st March, 1954, or the date of the claim for disablement benefit, whichever is the later;

(*b*) in relation to a claim for death benefit in respect of the death of any other person, the 1st March, 1954, or the date of the death of that person, whichever is the later."

(3) There shall be substituted for paragraph 4 of Part II of the First Schedule to the principal regulations, as amended(**a**) (which Part sets out the occupations in relation to which pneumoconiosis is prescribed) the following paragraph:—

" 4. Any occupation involving work in a foundry or the performance of, or substantial exposure to the dust arising from, any of the following operations:—

(*a*) the freeing of steel castings from adherent siliceous substance;

(*b*) the freeing of metal castings from adherent siliceous substance—

(i) by blasting with an abrasive propelled by compressed air, by steam or by a wheel; or

(ii) by the use of power-driven tools."

(4) There shall be substituted for sub-paragraph (*a*) of paragraph 10 of the said Part II, the following sub-paragraph:—

" (*a*) work underground in any mine in which one of the objects of the mining operations is the getting of any mineral; "

Amendments of Part VI of the principal regulations relating to pneumoconiosis

4.—(1) Part VI of the principal regulations as amended(**b**) (which Part contains special provisions as to pneumoconiosis) shall be further amended in accordance with the following provisions of this regulation.

(2) Paragraph (1) of regulation 33 of the principal regulations, as amended (**c**), (which paragraph specifies the rates of disablement pension payable in respect of pneumoconiosis where the assessment is less than twenty per cent.) shall be further amended by the deletion of the words " and not less than five per cent." and by the substitution for the words " fourteen per cent." of the words " ten per cent." and that paragraph shall accordingly have effect as set out in the First Schedule hereto.

(3) After regulation 36, there shall be inserted the following new regulation:—

(**a**) *See* regulation 4, S.R. & O. 1951. No. 21.
(**b**) S.R. & O. 1949. No. 173; S.R. & O. 1952. No. 140.
(**c**) See regulation 2, S.R. & O. 1952. No. 140.

"Special provision as to determination of certain claims in respect of pneumoconiosis

37.—(1) Part V of these regulations shall apply to any claim for disablement benefit in respect of pneumoconiosis by an insured person in relation to whom the disease is prescribed by virtue of sub-paragraph (ii) of paragraph (*b*) of regulation 2 subject to the modification that if the claimant fails to show to the satisfaction of the insurance officer that there is reasonable cause for suspecting that the claimant is suffering or has suffered from the disease, the insurance officer shall on that ground and without referring the diagnosis question as provided in paragraph (2) of regulation 24, determine that an award cannot be made.

(2) The provisions of the last foregoing paragraph shall apply to a local tribunal and the umpire as they apply to the insurance officer."

Amendment of Part I of the First Schedule to the principal regulations

5. Part I of the First Schedule to the principal regulations, as amended(**a**), shall be further amended by the addition at the end of the first and second columns thereof, respectively, of the disease specified in the first column of the Second Schedule hereto, and of the occupations set against the said disease in the second column of that Schedule.

Transitional provisions

6.—(1) Where a person, who has been employed on or at any time after the appointed day(**b**)

(*a*) in insurable employment in any occupation—

(i) which is prescribed in relation to him by virtue of sub-paragraph (ii) of paragraph (*b*) of regulation 2 of the principal regulations; or

(ii) which is set out in the paragraph or sub-paragraph respectively substituted by paragraphs (3) and (4) of regulation 3 of these regulations for paragraph 4 and sub-paragraph (*a*) of paragraph 10 of Part II of the First Schedule to the principal regulations (not being an occupation in relation to which pneumoconiosis is prescribed immediately before the date on which these regulations come into operation);

is suffering from a loss of faculty as a result of pneumoconiosis on the date on which these regulations come into operation, and the disease is due to the nature of that employment; or

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(**a**) See regulation 5, S.R. & O. 1949. No. 173; regulation 2, S.R. & O. 1951. No. 21; regulation 2, S.R. & O. 1951. No. 31; and regulation 2, S.R. & O. 1953. No. 74.

(**b**) 5th July, 1948, see S.R. & O. 1948. No. 35.

(*b*) in insurable employment in any of the occupations specified in the second column of the Second Schedule hereto, is as the result of the disease specified in the first column of that Schedule incapable of work or, as the case may be, 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 that employment;

the provisions of regulation 6 of the principal regulations (which relates to date of development) shall be applied subject to the modification that the said 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.

(2) Where a person to whom the last foregoing paragraph applies is awarded disablement benefit in respect of pneumoconiosis or, as the case may be, the said disease, and claims an increase of that benefit under section 14 of the Act (which section relates to increases of disablement pension in cases of 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 14.

(3) Where at any time after the appointed day but before the date on which these regulations come into operation, the death of any person who has been employed as aforesaid has resulted from pneumoconiosis or, as the case may be, the said disease, and the disease was due to the nature of that employment, that person shall be treated for the purposes of Part IV of the Act (which relates to extension of insurance to diseases) and of the principal regulations, as amended, as if these regulations had been in force at the date of death, subject to the following modifications:—

(*a*) no benefit shall be payable in respect of the death of that person—

(i) by way of pension or allowance for any period before the said date on which these regulations come into operation;

(ii) by way of gratuity, on a claim made by or on behalf of any other person who has died before that date, or to the widow of the deceased if she has remarried before that date:

Provided that a person who would be entitled to any benefit but for the operation of this sub-paragraph shall (except as provided in the next succeeding sub-paragraph) be treated as if he were entitled thereto for the purposes of any rights or obligations under the Act (whether of himself or any other person) which depend on his being so entitled, other than the right to payment of that benefit;

(b) in applying, in respect of the death of that person, the provisions of the Fourth Schedule to the Act (which limit benefit payable in respect of any death), any person who has died before the said date on which these regulations come into operation shall be disregarded.

7. Where the extent of a claimant's disablement as the result of pneumoconiosis has been assessed before the date on which these regulations come into operation, and the period taken into account by the assessment includes that date, the right of the claimant under regulation 33 of the principal regulations, as amended by paragraph (2) of regulation 4 of these regulations, to a disablement pension or to such a pension at a higher weekly rate as from the said date shall be determined by the insurance officer in accordance with that assessment without any claim being made therefor:

Provided that, where the degree of disablement or the period taken into account by the assessment has not been specified with such particularity as will enable the claimant's right to be so determined, the insurance officer shall refer the case again to a medical board for determination of the disablement questions in accordance with section 39 of the Act, and the right of the claimant under the said regulation 33, as so amended, to a disablement pension or to such a pension at a higher weekly rate as from the said date on which these regulations come into operation shall be determined in accordance with the assessment made on that reference.

Sealed with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this 19th day of February, 1954, in the presence of

(L.S.)

William Allen,
Assistant Secretary to the Ministry of Labour and National Insurance for Northern Ireland.

FIRST SCHEDULE

Regulation 4(2)

REGULATION 33(1) OF THE PRINCIPAL REGULATIONS AS AMENDED

Special conditions for disablement benefit

33.—(1) No disablement gratuity shall be payable in respect of pneumoconiosis, but if in any case the extent of disablement is such that, when assessed in accordance with section 12 of the Act (which relates to disablement benefit), it amounts to less than twenty per cent., the beneficiary shall, subject to the proviso to subsection (7) of the said section 12, be entitled to a disablement pension for the period taken into account by the assessment, payable, if such assessment does not exceed ten per cent., at the weekly rate of five shillings and sixpence, and in any other case at the weekly rate of eleven shillings.

SECOND SCHEDULE

Regulation 5

Description of disease or injury	Nature of occupation
39. Primary neoplasm of the epithelial lining of the urinary bladder (Papilloma of the bladder).	Any occupation involving— (*a*) work in a building in which any of the following substances is produced for commercial purposes:— (i) alpha-naphthylamine, beta-naphthylamine or benzidine or any of their salts; (ii) auramine or magenta; (*b*) the use or handling of any of the substances mentioned in sub-paragraph (i) of paragraph (*a*), or work in a process in which any such substance is used or handled or is liberated; (*c*) the maintenance or cleaning of any plant or machinery used in any such process as is mentioned in paragraph (*b*), or the cleaning of clothing used in any such building as is mentioned in paragraph (*a*) if such clothing is cleaned within the works of which the building forms a part or in a laundry maintained and used solely in connection with such works.

PHARMACY AND POISONS

Pharmaceutical Society, p. 494 | *Poisons, p.* 496

The Pharmaceutical Society of Northern Ireland.

REGULATIONS MADE ON THE NINTH DAY OF APRIL, 1954, BY THE COUNCIL OF THE PHARMACEUTICAL SOCIETY OF NORTHERN IRELAND, WITH THE APPROVAL OF THE MINISTER OF HOME AFFAIRS, UNDER SECTION THREE OF THE PHARMACY AND POISONS ACT (NORTHERN IRELAND), 1925, AS AMENDED BY THE MEDICINES, PHARMACY AND POISONS ACT (NORTHERN IRELAND), 1945.

1954. No. 62

The Council of the Pharmaceutical Society of Northern Ireland, in pursuance of the provisions of Section Three of the Pharmacy and Poisons Act (Northern Ireland), 1925, as amended by the Medicines, Pharmacy and Poisons Act (Northern Ireland), 1945, hereby makes the following Regulations:—