1965. No. 215 **[C]**

NATIONAL INSURANCE (INDUSTRIAL INJURIES)

Prescribed Diseases

REGULATIONS, DATED 26TH OCTOBER, 1965, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES UNDER THE NATIONAL INSURANCE (INDUSTRIAL INJURIES) ACT (NORTHERN IRELAND) 1946.

The Ministry of Health and Social Services, in exercise of powers conferred by sections 54 and 55 of the National Insurance (Industrial Injuries) Act (Northern Ireland) 1946(**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 National Insurance (Industrial Injuries) (Prescribed Diseases) Amendment (No. 2) Regulations (Northern Ireland) 1965, 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") and shall come into operation on 1st November, 1965.

Amendment relating to byssinosis

2. Regulation 2(*c*) of the principal regulations (which specifies the insured persons in relation to whom byssinosis is prescribed), shall be amended by inserting after the words "of raw or waste cotton" the words "or of flax" and shall accordingly have effect as set out in the Schedule.

Transitional provisions

3.—(1) Where a person, who has been employed on or at any time after 5th July, 1948 in insurable employment in any of the occupations included in regulation 2(*c*) of the principal regulations by virtue of the amendment made by regulation 2, is suffering from a loss of faculty as the result of byssinosis 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 the 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 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 paragraph (1) applies is awarded disablement benefit in respect of byssinosis and claims an increase of that benefit under section 14 of the Act (which section relates to increase 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

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(**a**) 1946. c. 21.
(**b**) S.R. & O. (N.I.) 1960, No. 209 as amended by S.R. & O. (N.I.) 1961, No. 101 and 1965, No. 126.

that he has abandoned that occupation shall be disregarded in determining his regular occupation for the purposes of the said section 14.

Sealed with the Official Seal of the Ministry of Health and Social Services for Northern Ireland this 26th day of October, 1965.

(L.S.) *H. A. Lowry,*
Assistant Secretary.

SCHEDULE Regulation 2

Regulation 2(c) of the Principal Regulations as amended*

2. For the purposes of Part IV of the Act—

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(*c*) byssinosis is prescribed in relation to all insured persons who have been employed—

(i) in insurable employment at any time on or after the appointed day; and

(ii) for a period or periods (whether before or after the appointed day) amounting in the aggregate to not less than ten years;

in any occupation in any room where any process up to and including the carding process is performed in factories in which the spinning or manipulation of raw or waste cotton *or of flax* is carried on.

*The words added by these regulations are shown in italics.

EXPLANATORY NOTE

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

These Regulations, by amending regulation 2(*c*) of the National Insurance (Industrial Injuries) (Prescribed Diseases) Regulations (Northern Ireland) 1960, which specifies the insured persons in relation to whom byssinosis is prescribed as an industrial disease, extend insurance, under the National Insurance (Industrial Injuries) Act (Northern Ireland) 1946, against that disease to persons employed in certain rooms in flax mills.

The Regulations contain transitional provisions relating to persons covered by the amendment who are already suffering from the disease on the date when they come into operation.