

SCHEDULE 3

Regulation 44(2)

Modification of Part II of the Administration Act in its Application to Benefit and Claims and Questions to which Part IV of these Regulations Applies

1. Section 58(4) of the Administration Act shall have effect as if for “an accident” there were substituted “a prescribed disease”; as if for “an injury resulted in whole or in part from the accident” there were substituted “a person suffered from a prescribed disease”; as if for “that accident” there were substituted “that disease”; and as if for “the injury did so result” there were substituted “the person did so suffer”.

2. There shall be included in the questions to be determined under the Administration Act any question—

- (a) whether a person is suffering or has suffered from a prescribed disease or injury; and
- (b) whether a prescribed disease or injury, suffered by a person who has previously been awarded benefit under the National Insurance (Industrial Injuries) Act (Northern Ireland) 1946⁽¹⁾, under the National Insurance (Industrial Injuries) Act (Northern Ireland) 1966⁽²⁾, under the Social Security (Northern Ireland) Act 1975⁽³⁾ or under the Acts or who is or has been in receipt of compensation under the Workmen’s Compensation Acts (Northern Ireland) 1927 to 1943 or under any contracting-out scheme duly certified thereunder in respect of the same disease or injury, has been contracted or received afresh (if and in so far as regulations made under section 108, 109 or 110 of the Contributions and Benefits Act or section 60(1) of the Administration Act necessitate the determination of that question),

which shall, where the question arises in connection with a claim for, or award of, sickness benefit made by virtue of section 102 of the Contributions and Benefits Act which or disablement benefit, be determined as provided by regulations, by an adjudication officer in the light of medical advice or by a medical board or a medical appeal tribunal, so however that no appeal shall lie under the provisions of section 20 or 21 of the Administration Act from a decision of an adjudication officer on any such question.

(1) 1946 c. 21 (N.I.)
(2) 1966 c. 9 (N.I.)
(3) 1975 c. 15