

Status: Point in time view as at 02/05/2016. This version of this cross heading contains provisions that are not valid for this point in time.

Changes to legislation: The Welfare Reform (Northern Ireland) Order 2015, Cross Heading: Industrial injuries benefit is up to date with all changes known to be in force on or before 25 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

STATUTORY INSTRUMENTS

2015 No. 2006

The Welfare Reform (Northern Ireland) Order 2015

PART 4

Other benefit changes

Industrial injuries benefit

VALID FROM 01/06/2016

Injuries arising before 5th July 1948

70.—(1) In Part 5 of the Contributions and Benefits Act (industrial injuries benefit), the following provisions are repealed—

- (a) in section 94(1), the words “after 4th July 1948”;
- (b) in section 103(2)(a), the words “after 4th July 1948”;
- (c) in section 108(1), the words “and which developed after 4th July 1948”;
- (d) in section 108(3), the words “but not before 5th July 1948”;
- (e) in section 109(5)(a), the words “after 4th July 1948”;
- (f) in section 109(5)(b) and (6)(a), the words “and developed after 4th July 1948”.

(2) Accordingly, section 111 of, and Schedule 8 to, that Act (which relate to compensation and benefits in respect of industrial injuries before 5th July 1948) are repealed.

(3) The Department may make regulations subject to negative resolution—

- (a) for, and in relation to, the payment of industrial injuries benefit to persons to whom, before the commencement of this Article, compensation or benefits were payable under section 111 of, and Schedule 8 to, the Contributions and Benefits Act;
- (b) for claims for the payment of such compensation or benefit to be treated as claims for industrial injuries benefit.

(4) In paragraph (3) “industrial injuries benefit” has the meaning given by section 121(1) of the Contributions and Benefits Act.

VALID FROM 31/10/2016

Persons under 18

71.—(1) In Schedule 4 to the Contributions and Benefits Act (rates of benefits), Part 5 (rates of industrial injuries benefit) is amended as follows.

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(2) In entry 1 (which relates to disablement pension (weekly rates)), in the second column (“Rate”)—

- (a) in the opening words, for the words from “in that Table” to the end of paragraph (b) substitute “ in column (2) of that Table. ”;
- (b) in the Table, column (3) is repealed.

(3) In entry 4 (which relates to the maximum of aggregate of weekly benefit payable for successive accidents), in the second column (“Rate”)—

- (a) paragraph (a) is repealed, except for the monetary amount specified;
- (b) paragraph (b) is repealed, including the monetary amount specified.

Trainees

72.—(1) After section 95 of the Contributions and Benefits Act insert—

“95A Employment training schemes etc.

(1) In the industrial injuries and diseases provisions any reference to employed earner's employment shall be taken to include participation in an employment training scheme or employment training course of a prescribed description (and “employed earner” shall be construed accordingly).

(2) In those provisions, a reference to an employer, in relation to any such participation, shall be taken to be a prescribed person.

(3) In this section “industrial injuries and diseases provisions” has the same meaning as in section 95(4) above.”

(2) In Article 33(1) of the Industrial Training (Northern Ireland) Order 1984 (power to make payments in respect of trainees equivalent to social security benefits payable in respect of employees), after “in pursuance of” insert “ Parts 2 to 4 of”.

(3) The Department may make regulations subject to negative resolution—

- (a) for, and in relation to, the payment of industrial injuries benefit to persons to whom, before the commencement of this Article, payments were payable under Article 33(1) of the Industrial Training (Northern Ireland) Order 1984;
- (b) for claims for such payments to be treated as claims for industrial injuries benefit.

(4) In paragraph (3) “industrial injuries benefit” has the meaning given by section 121(1) of the Contributions and Benefits Act.

Commencement Information

II Art. 72(3)(4) in operation at 2.5.2016 by S.R. 2016/215, art. 2(4)

VALID FROM 31/10/2016

Restriction on new claims for industrial death benefit

73. In Part 6 of Schedule 7 to the Contributions and Benefits Act (industrial death benefit), in paragraph 14, after sub-paragraph (1) insert—

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“(1A) No claim may be made for industrial death benefit after the coming into operation of this sub-paragraph.”

VALID FROM 31/10/2016

Determinations

74.—(1) Article 29(2) of the Social Security (Northern Ireland) Order 1998 (which provides for decisions as to whether an accident is an industrial accident in the absence of a claim for benefit) is repealed.

(2) In Article 30 of that Order (effect of decision), in paragraph (1), the words from “(given” to “otherwise)” are repealed.

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