

1983 No. 260

SOCIAL SECURITY

**The Social Security (Industrial Injuries) (Prescribed Diseases)
(Amendment No. 2) Regulations (Northern Ireland) 1983**

Made 2nd September 1983

Coming into operation 3rd October 1983

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by sections 76, 77 and 113 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, commencement and interpretation

1.—(1) These regulations may be cited as the Social Security (Industrial Injuries) (Prescribed Diseases) (Amendment No. 2) Regulations (Northern Ireland) 1983 and shall come into operation on 3rd October 1983.

(2) In these regulations “the principal regulations” means the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations (Northern Ireland) 1983(b).

Amendment of regulation 1 of the principal regulations

2. Regulation 1(2) of the principal regulations (interpretation) shall be amended as follows—

- (a) in the definition of “diffuse mesothelioma” for “numbered 44” there shall be substituted “numbered D3”;
- (b) the definition of “farmer’s lung” shall be omitted;
- (c) in the definition of “occupational asthma” for “numbered 53” there shall be substituted “numbered D7”;
- (d) in the definition of “occupational deafness” for “numbered 48” there shall be substituted “numbered A10”;
- (e) the definition of “pneumoconiosis” shall be omitted;
- (f) in the definition of “tuberculosis” for “numbered 38” there shall be substituted “numbered B5”.

Amendment of regulation 2 of the principal regulations

3.—(1) Regulation 2 of the principal regulations (prescription of diseases and injuries and occupations for which they are prescribed) shall be amended as follows—

- (a) in paragraph (a) for “paragraph (d)” there shall be substituted “paragraphs (b) and (d)” and for “regulation 50(2) and (4)” there shall be substituted “regulation 50(2), (3) and (4)”;
- (b) paragraph (c) shall be omitted;
- (c) for paragraph (d) there shall be substituted—

(a) 1975 c. 15

(b) S.R. 1983 No. 19, amended by S.R. 1983 No. 37

“(d) occupational deafness is prescribed in relation to all persons who have been employed in employed earner’s employment—

(i) at any time on or after 5th July 1948;

and

(ii) for a period or periods (whether before or after 5th July 1948) amounting in the aggregate to not less than 10 years,

in one or more of the occupations set out in the second column of paragraph A10 of Part I of Schedule 1 to these regulations and in the case of a person who during such period as is specified above has been concurrently employed in 2 or more of the occupations described in sub-paragraphs (a), (b), (d), (e), (f), (g) and (h) of the said paragraph A10 those occupations shall be treated as a single occupation for the purposes of determining whether that person has been employed wholly or mainly in work described in those sub-paragraphs.”

(2) For Part I of Schedule 1 to the principal regulations there shall be substituted the Part set out in Schedule 1 to these regulations.

Amendment of regulation 4 of the principal regulations

4. Regulation 4 of the principal regulations (presumption that a disease is due to the nature of employment) shall be amended as follows—

(a) in paragraph (1) for “numbered 38, 41, 42 and 48” there shall be substituted “numbered A10, B5, D1, D2, D4 and D5”;

(b) in paragraph (2) for “paragraph 38” there shall be substituted “paragraph B5”;

(c) in paragraph (4) for “regulation 2(c)” there shall be substituted “paragraph D2 of Part I of Schedule 1 to these regulations”.

Amendment of regulations 20 and 23 of the principal regulations

5. In regulation 20 and regulation 23(2) of the principal regulations for “numbered 17, 36, 37(b), 40, 43, 44 and 53” there shall be substituted “numbered B6, C15, C17, C18, C22(b), D3 and D7”.

Amendment of regulation 24 of the principal regulations

6. In regulation 24(2) of the principal regulations (power to dispense with reference for medical report) for “numbered 17, 36, 37(b), 40 and 43” there shall be substituted “numbered B6, C15, C17, C18 and C22(b)”.

Amendment of regulation 31 of the principal regulations

7. In regulation 31 of the principal regulations (constitution and procedure of a medical board and medical appeal tribunal) for “numbered 17, 36, 37(b), 40, 43, 44 and 53” there shall be substituted “numbered B6, C15, C17, C18, C22(b), D3 and D7”.

Amendment of regulation 38 of the principal regulations

8. Regulation 38 of the principal regulations (occupational deafness—time limit for claiming benefit) shall be amended as follows—

(a) in paragraph (1) after “occupational deafness” there shall be inserted “except in relation to a claim for sickness benefit payable by virtue of section 50A(a)”;

(a) Section 50A was inserted by Article 32(4) of the Social Security (Northern Ireland) Order 1982 (S.I. 1982/1084 (N.I. 16))

(b) for paragraph (2) there shall be substituted the following paragraph—

“(2) Subject to regulation 39(1)(c), disablement benefit, or sickness benefit payable by virtue of section 50A, shall not be paid in pursuance of a claim in respect of occupational deafness which is made later than 5 years after the latest date, before the date of the claim, on which the claimant worked in an occupation prescribed in relation to occupational deafness unless—

- (a) the claimant has been employed in one or more of the occupations so prescribed for a period or periods amounting in aggregate to not less than 10 years, and
- (b) that period or the last of those periods ended on or after 8th October 1977, and
- (c) the claim is made within the period of one year beginning on 3rd October 1983, and
- (d) either—
 - (i) the claimant, not being a person to whom regulation 39(1)(c) applies, has not within the period of 3 years before the claim was made previously made a claim which was disallowed because he was not suffering from occupational deafness, or
 - (ii) where a previous claim was made by him, a medical board or a medical appeal tribunal have not within the period of 3 years before the claim was made re-assessed the extent of his disablement at less than 20 per cent.’’.

Amendment of regulation 39 of the principal regulations

9. Regulation 39 of the principal regulations (occupational deafness—further claim) shall be amended as follows—

- (a) in paragraph (1) for “paragraph 48” there shall be substituted “paragraph A10” and in sub-paragraph (a) for “the disallowed claim” there shall be substituted “a claim which was disallowed because the claimant was not suffering from occupational deafness”;
- (b) for sub-paragraphs (b) and (c) of paragraph (1) there shall be substituted—
 - “(b) it is a claim made after the expiration of 3 years from the date of a re-assessment by a medical board or medical appeal tribunal of the extent of the claimant’s disablement at less than 20 per cent.; or
 - (c) where the claimant would otherwise be precluded by regulation 38(2) from making a further claim after the expiration of 3 years from the date of the disallowed claim or from the date of a re-assessment by a medical board or a medical appeal tribunal of the extent of his disablement at less than 20 per cent., as the case may be, it is the first claim made since that date and within 5 years from the latest date, before the date of the claim, on which he worked in any occupation specified in the second column of paragraph A10 of Part I of Schedule 1 to these regulations.’’;
- (c) in paragraph (2) for the words from “was not” to the end there shall be substituted “is not suffering from occupational deafness”.

Revocation of regulation 40 of the principal regulations

10. Regulation 40 of the principal regulations (occupational deafness—effect of presbycusis on assessment) is hereby revoked.

Substitution of regulation 41 of the principal regulations

11. For regulation 41 of the principal regulations (occupational deafness—period to be covered by assessment of disablement) there shall be substituted the following regulation—

“41. Subject to the proviso to section 57(6) (cessation of pension on death of beneficiary)—

- (a) every initial assessment of the extent of a claimant's disablement in respect of occupational deafness shall be a provisional assessment and the period to be taken into account by such an assessment shall be a period of 5 years;
- (b) the period to be taken into account by any subsequent re-assessment of the extent of the claimant's disablement in respect of occupational deafness, if not limited by reference to the claimant's life, shall not be less than 5 years.”.

Amendment of regulation 42 of the principal regulations

12. Regulation 42 of the principal regulations (occupational deafness—review of assessment for unforeseen aggravation) shall be renumbered as paragraph (1) of that regulation and after that provision as so renumbered there shall be inserted the following paragraph—

“(2) The provisions of section 110(2) shall not apply to an assessment of the extent of disablement in respect of occupational deafness which is less than 20 per cent.”.

Re-assessment of disablement

13. After regulation 44 there shall be inserted the following regulation—

“Occupational deafness – cases in which re-assessment of disablement is final

44A. Where in any case the extent of disablement in respect of occupational deafness has been provisionally assessed at 20 per cent. or more and on any re-assessment the extent of disablement in respect of occupational deafness is assessed at less than 20 per cent. that assessment shall be final.”.

Substitution of regulation 45 of the principal regulations

14.—(1) For regulation 45 of the principal regulations (occupational deafness—lower and upper limits of assessment) there shall be substituted the following regulation—

“Occupational deafness – assessment of extent of disablement and rate of disablement benefit payable

45.—(1) Subject to the provisions of Schedule 8 and regulations made thereunder and the following provisions of this regulation, the first assessment of the extent of disablement in respect of occupational deafness made in pursuance of a claim made before 3rd September 1979 by a person to whom disablement benefit in respect of occupational deafness is payable for a period before 3rd September 1979 shall be the percentage calculated by applying the formula set out in Part III of Schedule 2A to these regulations to the percentages specified in the second column of Part I of that Schedule opposite the appropriate amount of hearing loss in the better ear and the worse ear respectively specified in the first column of that Schedule, being the total hearing loss due to all causes, measured in each case by pure tone audiometry over the 1, 2 and 3 kHz frequencies.

(2) Except in any case to which paragraph (1) applies and subject to the provisions of Schedule 8 and regulations made thereunder and the following provisions of this regulation, the extent of disablement in respect of occupational deafness shall be assessed at the percentage calculated by applying the formula set out in Part III of Schedule 2A to these regulations to the percentages specified in the second column of Part II of that Schedule opposite the appropriate amount of hearing loss in the better ear and the worse ear respectively specified in the first

column of that Schedule, being the total hearing loss due to all causes, measured in each case by pure tone audiometry over the 1, 2 and 3 kHz frequencies.

(3) In this regulation and in Schedule 2A to these regulations "better ear" means that ear in which the claimant's hearing loss due to all causes is the less and "worse ear" means that ear in which the claimant's hearing loss due to all causes is the more.

(4) The extent of disablement in respect of occupational deafness may be subject to such increase or reduction of the degree of disablement as may be reasonable in the circumstances of the case where, having regard to the provisions of Schedule 8 and to regulations made thereunder, that degree of disablement does not provide a reasonable assessment of the extent of disability resulting from the relevant loss of faculty.

(5) Where on re-assessment of the extent of disability in respect of occupational deafness the sensorineural hearing loss is less than 50dB in each ear, being due in the case of at least one ear to occupational noise, the extent of disablement shall be assessed at less than 20 per cent.

(6) Where the extent of disablement is re-assessed at less than 20 per cent. disablement benefit shall not be payable.

(7) In the case of a person to whom disablement benefit by reason of occupational deafness was payable in respect of a period before 3rd September 1979—

- (a) if no assessment of the extent of his disability has been made, reviewed or varied on or after that date, the rate of any disablement benefit payable to him shall be the rate payable for the degree of disablement assessed in accordance with paragraph (1), but
- (b) if such an assessment has been made, reviewed or varied in respect of a period commencing on or after that date and before 3rd October 1983, the rate of any disablement benefit payable to him shall be either—
 - (i) the rate which would be payable if an assessment were made in accordance with paragraph (2), or
 - (ii) the rate which was payable immediately before the first occasion on which such review or variation took place,whichever is the more favourable to him.

(8) Where in the case of a person to whom disablement benefit by reason of occupational deafness was payable in respect of a period before 3rd September 1979 the extent of his disability is re-assessed and the period taken into account on re-assessment begins on or after 3rd October 1983 and—

- (a) immediately before that date, by virtue of paragraph (7) the rate at which disablement benefit was payable to him was higher than the rate which would otherwise have been payable, or
- (b) the re-assessment is the first re-assessment for a period commencing after 3rd September 1979,

the rate of disablement benefit payable to him shall be whichever of the rates specified in paragraph (9) is applicable.

(9) The rate of disablement benefit payable in the case of a person to whom paragraph (8) applies shall be—

- (a) if the current rate appropriate to the extent of his disability as re-assessed is the same as or more than the rate at which disablement benefit was payable immediately before the beginning of the period taken into account on re-assessment, the current rate, or

- (b) if the current rate is less than the rate at which disablement benefit was payable immediately before the beginning of the period taken into account on re-assessment, the lower of the following rates—
- (i) the rate at which benefit would have been payable if the re-assessment of the extent of his disability had been made in accordance with paragraph (1), or
 - (ii) the rate at which benefit was payable immediately before the beginning of the period taken into account on re-assessment.”

(2) After Schedule 2 to the principal regulations there shall be inserted the Schedule set out in Schedule 2 to these regulations.

Amendment of regulation 47 of the principal regulations

15. Regulation 47 of the principal regulations (time for claiming benefit in respect of occupational asthma) shall be amended as follows—

- (a) in paragraph (1), after “disablement benefit” there shall be inserted “and sickness benefit payable by virtue of section 50A” and after “after” there shall be inserted “the latest date, before the date of the claim, on which” and for “ceased to be employed” there shall be substituted “worked”;
- (b) in paragraph (4) for “he ceased to be employed” there shall be substituted “the latest date on which he worked”;
- (c) in paragraph (5) “ceased” shall be omitted and for “to be employed” there shall be substituted “had not worked”.

Amendment of regulation 48 of the principal regulations

16. In regulation 48 of the principal regulations (special power of medical boards in cases of pneumoconiosis, byssinosis and certain other diseases) for “numbered 17, 36, 37(b), 40, 43, 44 and 53” there shall be substituted “numbered B6, C15, C17, C18, C22(b), D3 and D7”.

Amendment of regulation 50 of the principal regulations

17.—(1) Regulation 50 of the principal regulations (transitional provisions) shall be amended as follows—

- (a) in paragraph (1), at the beginning, there shall be inserted “Subject to paragraph (2)” and the words from “, in relation to byssinosis” to the end shall be omitted;
- (b) after paragraph (1) there shall be inserted the following paragraph—
“(1A) Where a disease set out in the first column of Schedule 3 to these regulations was prescribed in relation to any person by regulations which came into operation on a date earlier than the date set against that disease in the second column of that Schedule, the “relevant date” in relation to such disease is such earlier date on which the disease was prescribed in relation to the person in question.”;
- (c) after paragraph (2) there shall be inserted the following paragraph—
“(2A) The “relevant date” in relation to byssinosis—
(a) in the case of a person employed in an occupation involving work in any room in which the weaving of cotton or flax or any other process which takes place between, or at the same time as, the winding or beaming and weaving of cotton or flax is carried on in a factory in which any or all of those processes are carried on is 3rd October 1983;
(b) in any other case, is 13th April 1979 except that where the disease was prescribed in relation to any person by regulations which came into operation on a date earlier than 13th April 1979 the relevant date is that earlier date.”;

(d) in paragraph (3)(b) after "regulation 2(c)" there shall be inserted "of these regulations in force immediately before 3rd October 1983,";

(e) for paragraph (4) there shall be substituted the following paragraph—

"(4) Notwithstanding that a person does not satisfy paragraph (2) infection by leptospira is prescribed in relation to any person if he is or has been either incapable of work or suffering from a loss of faculty as a result of infection by *Leptospira icterohaemorrhagiae* in the case of a person employed in employed earner's employment before 7th January 1980 in any occupation involving work in places which are, or are liable to be, infested by rats or infection by *Leptospira canicola* in the case of a person so employed in any occupation involving work at dog kennels or the care or handling of dogs."

(2) For Schedule 3 to the principal regulations there shall be substituted the Schedule set out in Schedule 3 to these regulations.

(3) A person in relation to whom a disease or injury was prescribed by virtue of the principal regulations immediately before the date of coming into operation of these regulations shall be treated as if these regulations had not come into operation if it would be more favourable to him.

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 2nd September 1983.

(L.S.)

A. N. Burns

Assistant Secretary

Part I of Schedule inserted in principal regulations in substitution for Part I of Schedule 1

PART I

List of prescribed diseases and the occupations for which they are prescribed

<i>Prescribed disease or injury</i>	<i>Occupation</i>
A. <i>Conditions due to physical agents</i>	Any occupation involving:
1. Inflammation, ulceration or malignant disease of the skin or subcutaneous tissues or of the bones, or blood dyscrasia, or cataract, due to electro-magnetic radiations (other than radiant heat), or to ionising particles.	Exposure to electro-magnetic radiations (other than radiant heat) or to ionising particles.
2. Heat cataract.	Frequent or prolonged exposure to rays from molten or red-hot material.
3. Dysbarism, including decompression sickness, barotrauma and osteonecrosis.	Subjection to compressed or rarefied air or other respirable gases or gaseous mixtures.
4. Cramp of the hand or forearm due to repetitive movements.	Prolonged periods of handwriting, typing or other repetitive movements of the fingers, hand or arm.
5. Subcutaneous cellulitis of the hand (Beat hand).	Manual labour causing severe or prolonged friction or pressure on the hand.
6. Bursitis or subcutaneous cellulitis arising at or about the knee due to severe or prolonged external friction or pressure at or about the knee (Beat knee).	Manual labour causing severe or prolonged external friction or pressure at or about the knee.
7. Bursitis or subcutaneous cellulitis arising at or about the elbow due to severe or prolonged external friction or pressure at or about the elbow (Beat elbow).	Manual labour causing severe or prolonged external friction or pressure at or about the elbow.
8. Traumatic inflammation of the tendons of the hand or forearm, or of the associated tendon sheaths.	Manual labour, or frequent or repeated movements of the hand or wrist.
9. Miner's nystagmus.	Work in or about a mine.
10. Substantial sensorineural hearing loss amounting to at least 50 dB in each ear, being due in the case of at least one ear to occupational noise, and being the average of pure tone losses measured by audiometry over the 1, 2 and 3 kHz frequencies (occupational deafness).	(a) The use of, or work wholly or mainly in the immediate vicinity of, pneumatic percussive tools or high-speed grinding tools, in the cleaning, dressing or finishing of cast metal or of ingots, billets or blooms; or

<i>Prescribed disease or injury</i>	<i>Occupation</i>
	<p>Any occupation involving:</p> <p>(b) the use of, or work wholly or mainly in the immediate vicinity of, pneumatic percussive tools on metal in the shipbuilding or ship repairing industries; or</p> <p>(c) the use of, or work in the immediate vicinity of, pneumatic percussive tools on metal, or for drilling rock in quarries or underground, or in mining coal, for at least an average of one hour per working day; or</p> <p>(d) work wholly or mainly in the immediate vicinity of drop-forging plant (including plant for drop-stamping or drop-hammering) or forging press plant engaged in the shaping of metal; or</p> <p>(e) work wholly or mainly in rooms or sheds where there are machines engaged in weaving man-made or natural (including mineral) fibres or in the bulking up of fibres in textile manufacturing; or</p> <p>(f) the use of, or work wholly or mainly in the immediate vicinity of, machines engaged in cutting, shaping or cleaning metal nails; or</p> <p>(g) the use of, or work wholly or mainly in the immediate vicinity of, plasma spray guns engaged in the deposition of metal; or</p> <p>(h) the use of, or work wholly or mainly in the immediate vicinity of, any of the following machines engaged in the working of wood or material composed partly of wood, that is to say: multi-cutter moulding machines, planing machines, automatic or semi-automatic lathes, multiple cross-cut machines, automatic shaping machines, double-end tenoning machines, vertical spindle moulding machines (including high-speed routing machines), edge banding machines, bandsawing machines with a blade width of not less than 75 millimetres and circular sawing machines in the operation of which the blade is moved towards the material being cut; or</p> <p>(i) the use of chain saws in forestry.</p>

<i>Prescribed disease or injury</i>	<i>Occupation</i>
B. <i>Conditions due to biological agents</i>	Any occupation involving:
1. Anthrax.	Contact with animals infected with anthrax or the handling (including the loading or unloading or transport) of animal products or residues.
2. Glanders.	Contact with equine animals or their carcasses.
3. Infection by leptospira.	<p>(a) Work in places which are, or are liable to be, infested by rats, field mice or voles, or other small mammals; or</p> <p>(b) work at dog kennels or the care or handling of dogs; or</p> <p>(c) contact with bovine animals or their meat products or pigs or their meat products.</p>
4. Ankylostomiasis.	Work in or about a mine.
5. Tuberculosis.	Contact with a source of tuberculous infection.
6. Extrinsic allergic alveolitis (including farmer's lung).	<p>Exposure to moulds or fungal spores or heterologous proteins by reason of employment in—</p> <p>(a) agriculture, horticulture, forestry, cultivation of edible fungi or maltworking; or</p> <p>(b) loading or unloading or handling in storage mouldy vegetable matter or edible fungi; or</p> <p>(c) caring for or handling birds; or</p> <p>(d) handling bagasse.</p>
7. Infection by organisms of the genus brucella.	<p>Contact with—</p> <p>(a) animals infected by brucella, or their carcasses or parts thereof, or their untreated products; or</p> <p>(b) laboratory specimens or vaccines of, or containing, brucella.</p>
8. Viral hepatitis.	<p>Close and frequent contact with—</p> <p>(a) human blood or human blood products; or</p>

<i>Prescribed disease or injury</i>	<i>Occupation</i>
<p>9. Infection by <i>Streptococcus suis</i>.</p>	<p>(b) a source of viral hepatitis infection by reason of employment in the medical treatment or nursing of a person or persons suffering from viral hepatitis, or in a service ancillary to such treatment or nursing.</p> <p>Any occupation involving:</p> <p>Contact with pigs infected by <i>Streptococcus suis</i>, or with the carcasses, products or residues of pigs so infected.</p>
<p>C. Conditions due to chemical agents</p>	
<p>1. Poisoning by lead or a compound of lead.</p>	<p>The use or handling of, or exposure to the fumes, dust or vapour of, lead or a compound of lead, or a substance containing lead.</p>
<p>2. Poisoning by manganese or a compound of manganese.</p>	<p>The use or handling of, or exposure to the fumes, dust or vapour of, manganese, or a compound of manganese, or a substance containing manganese.</p>
<p>3. Poisoning by phosphorus or an inorganic compound of phosphorus or poisoning due to the anticholinesterase or pseudo anticholinesterase action of organic phosphorus compounds.</p>	<p>The use or handling of, or exposure to the fumes, dust or vapour of, phosphorus or a compound of phosphorus, or a substance containing phosphorus.</p>
<p>4. Poisoning by arsenic or a compound of arsenic.</p>	<p>The use or handling of, or exposure to the fumes, dust or vapour of, arsenic or a compound of arsenic, or a substance containing arsenic.</p>
<p>5. Poisoning by mercury or a compound of mercury.</p>	<p>The use or handling of, or exposure to the fumes, dust or vapour of, mercury or a compound of mercury, or a substance containing mercury.</p>
<p>6. Poisoning by carbon bisulphide.</p>	<p>The use or handling of, or exposure to the fumes or vapour of, carbon bisulphide or a compound of carbon bisulphide, or a substance containing carbon bisulphide.</p>
<p>7. Poisoning by benzene or a homologue of benzene.</p>	<p>The use or handling of, or exposure to the fumes of, or vapour containing, benzene or any of its homologues.</p>
<p>8. Poisoning by a nitro- or amino- or chloro-derivative of benzene or of a homologue of benzene, or poisoning by nitro-chlorobenzene.</p>	<p>The use or handling of, or exposure to the fumes of, or vapour containing, a nitro- or amino- or chloro-derivative of benzene, or of a homologue of benzene, or nitrochlorobenzene.</p>

<i>Prescribed disease or injury</i>	<i>Occupation</i>
9. Poisoning by dinitrophenol or a homologue of dinitrophenol or by substituted dinitrophenols or by the salts of such substances.	Any occupation involving: The use or handling of, or exposure to the fumes of, or vapour containing, dinitrophenol or a homologue or substituted dinitrophenols or the salts of such substances.
10. Poisoning by tetrachloroethane.	The use or handling of, or exposure to the fumes of, or vapour containing, tetrachloroethane.
11. Poisoning by diethylene dioxide (dioxan).	The use or handling of, or exposure to the fumes of, or vapour containing, diethylene dioxide (dioxan).
12. Poisoning by methyl bromide.	The use or handling of, or exposure to the fumes of, or vapour containing, methyl bromide.
13. Poisoning by chlorinated naphthalene.	The use or handling of, or exposure to the fumes of, or dust or vapour containing, chlorinated naphthalene.
14. Poisoning by nickel carbonyl.	Exposure to nickel carbonyl gas.
15. Poisoning by oxides of nitrogen.	Exposure to oxides of nitrogen.
16. Poisoning by gonioma kamassi (African boxwood).	The manipulation of gonioma kamassi or any process in or incidental to the manufacture of articles therefrom.
17. Poisoning by beryllium or a compound of beryllium.	The use or handling of, or exposure to the fumes, dust or vapour of, beryllium or a compound of beryllium, or a substance containing beryllium.
18. Poisoning by cadmium.	Exposure to cadmium dust or fumes.
19. Poisoning by acrylamide monomer.	The use or handling of, or exposure to, acrylamide monomer.
20. Dystrophy of the cornea (including ulceration of the corneal surface) of the eye.	(a) The use or handling of, or exposure to, arsenic, tar, pitch, bitumen, mineral oil (including paraffin), soot or any compound, product or residue of any of these substances, except quinone or hydroquinone; or (b) exposure to quinone or hydroquinone during its manufacture.
21. (a) Localised new growth of the skin, papillomatous or keratotic; (b) squamous-celled carcinoma of the skin.	The use or handling of, or exposure to, arsenic, tar, pitch, bitumen, mineral oil (including paraffin), soot or any compound, product or residue of any of these substances, except quinone or hydroquinone.

<i>Prescribed disease or injury</i>	<i>Occupation</i>
<p>22. (a) Carcinoma of the mucous membrane of the nose or associated air sinuses;</p> <p>(b) primary carcinoma of a bronchus or of a lung.</p> <p>23. Primary neoplasm (including papilloma, carcinoma-in-situ and invasive carcinoma) of the epithelial lining of the urinary tract (renal pelvis, ureter, bladder and urethra).</p> <p>24. (a) Angiosarcoma of the liver;</p> <p>(b) osteolysis of the terminal phalanges of the fingers;</p> <p>(c) non-cirrhotic portal fibrosis.</p>	<p>Any occupation involving:</p> <p>Work in a factory where nickel is produced by decomposition of a gaseous nickel compound which necessitates working in or about a building or buildings where that process or any other industrial process ancillary or incidental thereto is carried on.</p> <p>(a) Work in a building in which any of the following substances is produced for commercial purposes—</p> <ul style="list-style-type: none"> (i) alpha-naphthylamine, beta-naphthylamine or methylene-bis-ortho-chloroaniline; (ii) diphenyl substituted by at least one nitro or primary amino group or by at least one nitro and primary amino group (including benzidine); (iii) any of the substances mentioned in head (ii) if further ring substituted by halogeno, methyl or methoxy groups, but not by other groups; (iv) the salts of any of the substances mentioned in heads (i) to (iii); (v) auramine or magenta; or <p>(b) the use or handling of any of the substances mentioned in sub-paragraph (a)(i) to (iv), or work in a process in which any such substance is used, handled or liberated; or</p> <p>(c) the maintenance or cleaning of any plant or machinery used in any such process as is mentioned in sub-paragraph (b), or the cleaning of clothing used in any such building as is mentioned in sub-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.</p> <p>(a) Work in or about machinery or apparatus used for the polymerization of vinyl chloride monomer, a process which, for the purposes of this provision, comprises all operations up to and including the drying of the slurry produced by the polymerization and the packaging of the dried product; or</p> <p>(b) work in a building or structure in which any part of that process takes place.</p>

<i>Prescribed disease or injury</i>	<i>Occupation</i>
25. Occupational vitiligo.	Any occupation involving: The use or handling of, or exposure to, para-tertiary-butylphenol, para-tertiary-butylcatechol, para-amyl-phenol, hydroquinone or the monobenzyl or monobutyl ether of hydroquinone.
D. <i>Miscellaneous Conditions</i>	
1. Pneumoconiosis.	Any occupation— (a) set out in Part II of this Schedule; (b) specified in regulation 2(b)(ii). Any occupation involving:
2. Byssinosis.	Work in any room where any process up to and including the weaving process is performed in a factory in which the spinning or manipulation of raw or waste cotton or of flax or the weaving of cotton or flax, is carried on.
3. Diffuse mesothelioma (primary neoplasm of the mesothelium of the pleura or of the pericardium or of the peritoneum).	(a) The working or handling of asbestos or any admixture of asbestos; or (b) the manufacture or repair of asbestos textiles or other articles containing or composed of asbestos; or (c) the cleaning of any machinery or plant used in any of the foregoing operations and of any chambers, fixtures and appliances for the collection of asbestos dust; or (d) substantial exposure to the dust arising from any of the foregoing operations.
4. Inflammation or ulceration of the mucous membrane of the upper respiratory passages or mouth produced by dust, liquid or vapour.	Exposure to dust, liquid or vapour.
5. Non-infective dermatitis of external origin (including chrome ulceration of the skin but excluding dermatitis due to ionising particles or electro-magnetic radiations other than radiant heat).	Exposure to dust, liquid or vapour or any other external agent capable of irritating the skin (including friction or heat but excluding ionising particles or electro-magnetic radiations other than radiant heat).
6. Carcinoma of the nasal cavity or associated air sinuses (nasal carcinoma).	(a) Attendance for work in or about a building where wooden goods are manufactured or repaired; or (b) 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

<i>Prescribed disease or injury</i>	<i>Occupation</i>
<p>7. Asthma which is due to exposure to any of the following agents—</p> <ul style="list-style-type: none"> (a) isocyanates; (b) platinum salts; (c) fumes or dusts arising from the manufacture, transport or use of hardening agents (including epoxy resin curing agents) based on phthalic anhydride, tetrachlorophthalic anhydride, trimellitic anhydride or triethylene-tetramine; (d) fumes arising from the use of rosin as a soldering flux; (e) proteolytic enzymes; (f) animals or insects used for the purposes of research or education or in laboratories; (g) dusts arising from the sowing, cultivation, harvesting, drying, handling, milling, transport or storage of barley, oats, rye, wheat or maize, or the handling, milling, transport or storage of meal or flour made therefrom (occupational asthma). 	<p>Any occupation involving:</p> <ul style="list-style-type: none"> (c) attendance for work at a place used wholly or mainly for the repair of footwear made wholly or partly of leather or fibre board. <p>Exposure to any of the agents set out in the first column of this paragraph.</p>

SCHEDULE 2

Regulation 14(2)

Schedule inserted in principal regulations

SCHEDULE 2A

Regulation 45

Assessment of the extent of occupational deafness

PART I

Claims to which regulation 45(1) applies

<i>Average hearing loss (dB) over 1, 2 and 3 kHz</i>	<i>Degree of disablement per cent.</i>
50-52 dB	20
53-57 dB	30
58-62 dB	40
63-67 dB	50
68-72 dB	60
73-77 dB	70
78-82 dB	80
83-87 dB	90
88 dB or more	100

PART II

Claims to which regulation 45(2) applies

<i>Average hearing loss (dB) over 1, 2 and 3 kHz</i>	<i>Degree of disablement per cent.</i>
50- 53 dB	20
54- 60 dB	30
61- 66 dB	40
67- 72 dB	50
73- 79 dB	60
80- 86 dB	70
87- 95 dB	80
96-105 dB	90
106 dB or more	100

PART III

Formula for calculating binaural disablement

$$\frac{(\text{Degree of disablement of better ear} \times 4) + \text{Degree of disablement of worse ear}}{5}$$

Schedule inserted in principal regulations in substitution for Schedule 3

Prescribed diseases and relevant dates for the purposes of regulation 50

<i>Prescribed disease or injury</i>	<i>Relevant date</i>
A3 Dysbarism, including decompression sickness, barotrauma and osteonecrosis.	Except in the case of a person suffering from decompression sickness employed in any occupation involving subjection to compressed or rarefied air, 3rd October 1983.
B1 Anthrax.	in the case of a person employed in an occupation involving the loading or unloading or transport of animal products or residues, 3rd October 1983.
B3 Infection by leptospira.	(a) In the case of a person employed in an occupation in places which are, or are liable to be, infested by small mammals other than rats, field mice or voles, 3rd October 1983; (b) in the case of a person employed in an occupation in any other place mentioned in the second column of paragraph B3 of Part I of Schedule 1 to these regulations, 7th January 1980.
B5 Tuberculosis.	In the case of a person employed in an occupation involving contact with a source of tuberculous infection, not being an employment set out in the second column of paragraph 38 of Part I of Schedule 1 to these regulations in force immediately before 3rd October 1983, that date.
B6 Extrinsic allergic alveolitis (including farmer's lung).	In the case of a person suffering from extrinsic allergic alveolitis, not being farmer's lung, employed in any occupation set out in the second column of paragraph B6 of Part I of Schedule 1 to these regulations, or in the case of a person suffering from farmer's lung, employed in any occupation involving exposure to moulds or fungal spores or heterologous proteins by reason of employment in cultivation of edible fungi, or maltworking, or loading or unloading or handling in storage edible fungi, or caring for or handling birds, 3rd October 1983.
B7 Infection by organisms of the genus brucella.	In the case of a person suffering from infection by organisms of the genus brucella, not being infection by <i>Brucella abortus</i> , or employed in an occupation set

<i>Prescribed disease or injury</i>	<i>Relevant date</i>
	out in the second column of paragraph B7 of Part I of Schedule 1 to these regulations, not being an occupation set out in the second column of paragraph 46 of Part I of Schedule 1 to these regulations in force immediately before 3rd October 1983, that date.
B8 Viral hepatitis.	2nd February 1976.
B9 Infection by <i>Streptococcus suis</i> .	3rd October 1983.
C3 Poisoning by phosphorus or an inorganic compound of phosphorus or poisoning due to the anticholinesterase or pseudo anticholinesterase action of organic phosphorus compounds.	In the case of a person suffering from poisoning by an inorganic compound of phosphorus or poisoning due to the pseudo anticholinesterase action of organic phosphorus compounds, 3rd October 1983.
C18 Poisoning by cadmium.	In the case of a person employed in an occupation involving exposure to cadmium dust, 3rd October 1983.
C23 Primary neoplasm (including papilloma, carcinoma-in-situ and invasive carcinoma) of the epithelial lining of the urinary tract (renal pelvis, ureter, bladder and urethra).	In the case of a person employed in an occupation involving work in a building in which methylene-bis-orthochloroaniline is produced for commercial purposes, 3rd October 1983.
C24 (a) Angiosarcoma of the liver; (b) osteolysis of the terminal phalanges of the fingers; (c) non-cirrhotic portal fibrosis.	(a) In the case of a person suffering from angiosarcoma of the liver or osteolysis of the terminal phalanges of the fingers, 21st March 1977; (b) in the case of a person suffering from non-cirrhotic portal fibrosis, 3rd October 1983.
C25 Occupational vitiligo.	15th December 1980.
D3 Diffuse mesothelioma.	In the case of a person suffering from primary neoplasm of the pericardium, 3rd October 1983.
D6 Carcinoma of the nasal cavity or associated air sinuses (nasal carcinoma).	In the case of a person employed in an occupation involving attendance for work in or about a building where wooden goods (other than wooden furniture) are manufactured or where wooden goods are repaired, 3rd October 1983.
D7 Occupational asthma.	29th March 1982.

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations further amend the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations (Northern Ireland) 1983 ("the principal regulations").

The main changes made by the regulations are—

- (a) The regulations amend the definition of occupational deafness in the principal regulations so that it is no longer a requirement that hearing loss must be permanent and extend cover under the industrial injuries provisions of the Social Security (Northern Ireland) Act 1975 in respect of occupational deafness to persons employed in employed earner's employment in occupations involving the use of, or work wholly or mainly in the immediate vicinity of, certain kinds of high-speed pneumatic percussive tools and high-speed grinding tools in certain processes and work in the immediate vicinity of machines engaged in cutting, shaping or cleaning metal nails, plasma spray guns engaged in the deposition of metal, certain woodworking machines and the use of chain saws in forestry.
- (b) The period for which a person is required to have been employed in an occupation for which occupational deafness is prescribed before he can claim is reduced from 20 years to 10 years (regulation 3(1)).
- (c) The time limit for claiming benefit in respect of occupational deafness is increased from 1 year to 5 years of the date of leaving his employment and provision is made to enable claims to be made within 1 year of the coming into operation of the regulations (regulation 8).
- (d) The periods for making further claims in respect of occupational deafness after an earlier claim has been disallowed are increased in certain circumstances (regulation 9).
- (e) The requirement that age-related hearing loss must be offset in assessing hearing loss is abolished (regulation 10).
- (f) Initial assessments of disablement in respect of occupational deafness by medical boards and medical appeal tribunals are required to be provisional assessments for a period of 5 years and subsequent re-assessments are required to be for not less than 5 years (regulation 11).
- (g) The provisions of the Social Security (Northern Ireland) Act 1975 relating to a review of assessment in a case of unforeseen aggravation will not apply where disability in respect of occupational deafness is assessed at less than 20 per cent. (regulation 12).
- (h) Any re-assessment of disablement in respect of occupational deafness at less than 20 per cent. will be a final assessment (regulation 13).
- (i) The formula and tables for calculating assessment of the extent of disablement in respect of occupational deafness are set out in a new Schedule. In cases where the extent of disablement is re-assessed at less than 20 per cent. disablement benefit is not payable (regulation 14 and Schedule 2).
- (j) The list of prescribed diseases and the occupations for which diseases are prescribed set out in Part I of Schedule 1 to the principal regulations have been rearranged under 4 categories and a number of amendments have been made to the description of the diseases and the occupations for which they are prescribed (regulation 3 and Schedule 1). The amendments include the extension of cover of extrinsic allergic alveolitis (B6 of Schedule 1) and of byssinosis (D2 of Schedule 1) and the addition of *Streptococcus suis* to the list of prescribed diseases (B9 of Schedule 1).

- (k) The regulations contain transitional provisions relating to claims as a consequence of the changes in the descriptions of certain of the prescribed diseases and the occupations for which they are prescribed (regulation 17 and Schedule 3).

The regulations also contain consequential and other amendments of the principal regulations.

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**Altnahinch Dam, Ballymoney (Temporary Suspension of Compensation Water)
Order (Northern Ireland) 1983**

This Order, being of a temporary character, is not printed at length in this volume.

1983 No. 262

This Order has been exempted from printing by the Statutory Rules (Northern Ireland) Order 1979. A summary is given in the List of Statutory Rules of a Local Character under the heading ROADS.