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STATUTORY RULES OF NORTHERN IRELAND

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**2006 No. 96**

**The Social Security (Industrial Injuries) (Prescribed Diseases) (Amendment) Regulations (Northern Ireland) 2006**

**Amendment of the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations**

2.—(1) The Social Security (Industrial Injuries) (Prescribed Diseases) Regulations (Northern Ireland) 1986<sup>(1)</sup> shall be amended in accordance with paragraphs (2) to (4).

(2) In regulation 1(2) (interpretation) in the definition of “primary carcinoma of the lung”<sup>(2)</sup> after “D8” there shall be inserted “, D8A”.

(3) After regulation 18A<sup>(3)</sup> (diffuse mesothelioma – prescribed loss of faculty) there shall be inserted the following regulation—

**“Asbestos-related primary carcinoma of the lung – special conditions and prescribed loss of faculty**

**18B.**—(1) This regulation shall apply to a claim for disablement pension made in respect of the diseases prescribed in paragraphs D8 and D8A of Part I of Schedule 1 to these regulations.

(2) On a claim to which this regulation applies—

(a) section 103(6) of the Contributions and Benefits Act (entitlement after expiry of 90 days) shall apply as if for “after the expiry of the period of 90 days (disregarding Sundays) beginning with the day of the relevant accident” there were substituted “the day on which he first suffers from a loss of faculty due to primary carcinoma of the lung”; and

(b) paragraph 6(1) of Schedule 6 to the Contributions and Benefits Act (period to be taken into account by an assessment) shall apply as if the words “beginning not earlier than the end of the period of 90 days referred to in section 103(6) above and in paragraph 9(3) of that Schedule and” were omitted.

(3) On a claim to which this regulation applies, the loss of faculty prescribed for the purposes of sub-paragraph (d) of paragraph 1 of Schedule 6 to the Contributions and Benefits Act (assessment of extent of disablement) is lung impairment caused by primary carcinoma of the lung.”.

(4) In Part I of Schedule 1 (list of prescribed diseases and the occupations for which they are prescribed)—

(a) for the entry relating to prescribed disease C24<sup>(4)</sup> there shall be substituted—

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(a)	Angiosarcoma of the liver; or	Exposure to vinyl chloride monomer in the manufacture of polyvinyl chloride.
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(1) [S.R. 1986 No. 179](#); relevant amending regulations are [S.R. 1993 No. 148](#), [S.R. 1997 No. 158](#), [S.R. 2002 No. 237](#) and [S.R. 2003 No. 63](#)

(2) The definition of “primary carcinoma of the lung” was inserted by regulation 2(b) of [S.R. 1993 No. 148](#)

(3) Regulation 18A was inserted by regulation 2(3) of [S.R. 2002 No. 237](#)

(4) Prescribed disease C24 was substituted by regulation 2(4)(r) of [S.R. 2003 No. 63](#)

- (b) osteolysis of the terminal phalanges of the fingers; or
- (c) sclerodermatous thickening of the skin of the hand; or
- (d) liver fibrosis,

due to exposure to vinyl chloride monomer.

**C24A.** Raynaud’s phenomenon due to Exposure to vinyl chloride monomer in the exposure to vinyl chloride monomer. manufacture of polyvinyl chloride before 1st January 1984.”;

(b) for the entry relating to prescribed disease D8(5) there shall be substituted—

“**D8.** Primary carcinoma of the lung where there is accompanying evidence of asbestosis.

- (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.

**D8A.** Primary carcinoma of the lung. Exposure to asbestos in the course of—

- (a) the manufacture of asbestos textiles; or
- (b) spraying asbestos; or
- (c) asbestos insulation work; or
- (d) applying or removing materials containing asbestos in the course of shipbuilding,

where all or any of the exposure occurs before 1st January 1975, for a period of, or periods which amount in aggregate to, 5 years or more, or otherwise, for a period of, or periods which amount in aggregate to, 10 years or more.”; and

(c) in the entry relating to prescribed disease D9(6) for the entry in the first column there shall be substituted—

“**D9.** Unilateral or bilateral diffuse pleural thickening with obliteration of the costophrenic angle.”.

(5) Prescribed disease D8 was amended by regulation 2(4)(b) of S.R. 1997 No. 158

(6) Prescribed disease D9 was amended by regulation 2(4)(c) of S.R. 1997 No. 158

