

2009 No. 228

SOCIAL SECURITY

**The Social Security (Industrial Injuries) (Prescribed Diseases)
(Amendment) Regulations (Northern Ireland) 2009**

Made - - - - - *10th June 2009*

Coming into operation - - - - - *13th July 2009*

The Department for Social Development makes the following Regulations in exercise of the powers conferred by sections 108(2) and 171(1), (3) and (4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(a) and now vested in it(b).

It is satisfied of the matters referred to in section 108(2) of that Act.

Citation and commencement

1. These Regulations may be cited as the Social Security (Industrial Injuries) (Prescribed Diseases) (Amendment) Regulations (Northern Ireland) 2009 and shall come into operation on 13th July 2009.

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

2. In Part I of Schedule 1 to the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations (Northern Ireland) 1986(c) (list of prescribed diseases and the occupations for which they are prescribed) after the entry relating to prescribed disease A13(d) add—

- “A14. Osteoarthritis of the knee. Work underground in a coal mine for a period of, or periods which amount in aggregate to, at least 10 years in any one or more of the following occupations:
- (a) before 1st January 1986 as a coal miner; or
 - (b) on or after 1st January 1986 as a—
 - (i) face worker working on a non-mechanised coal face;
 - (ii) development worker;
 - (iii) face-salvage worker;
 - (iv) conveyor belt cleaner; or
 - (v) conveyor belt attendant.

(a) 1992 c. 7; section 171(1) was amended by paragraph 5 of Schedule 4 to the Tax Credits Act 2002 (c. 21)
(b) See Article 8(b) of S.R. 1999 No. 481
(c) S.R. 1986 No. 179; relevant amending Regulations are S.R. 2005 No. 37
(d) Prescribed disease A13 was added by regulation 2(4)(a) of S.R. 2005 No. 37

“A non-mechanised coal face” means a coal face without either powered roof supports or a power loader machine which simultaneously cuts and loads the coal or without both.”.

Sealed with the Official Seal of the Department for Social Development on 10th June 2009

(L.S.)

John O'Neill

A senior officer of the Department for Social Development

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations (Northern Ireland) 1986 which prescribe diseases for which industrial injuries benefit is payable. Regulation 2 adds the disease osteoarthritis of the knee, as it relates to certain occupations in the coal mining industry, to the list of prescribed diseases in Part I of Schedule 1 to those Regulations.

These Regulations make in relation to Northern Ireland only provision corresponding to provision contained in Regulations made by the Secretary of State for Work and Pensions in relation to Great Britain and accordingly, by virtue of section 149(3) of, and paragraph 7 of Schedule 5A to, the Social Security Administration (Northern Ireland) Act 1992 (c. 8), are not subject to the requirement of section 149(2A) of that Act for prior reference to the Industrial Injuries Advisory Council.

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