

### Prescribed Diseases

REGULATIONS, DATED 22ND APRIL, 1953, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE UNDER THE NATIONAL INSURANCE (INDUSTRIAL INJURIES) ACTS (NORTHERN IRELAND), 1946 TO 1952.

1953. No. 74

The Ministry of Labour and National Insurance, in exercise of the powers conferred by sections 54, 55, 56 and 85 of the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946 (a), and of all other powers enabling it in that behalf, hereby makes the following regulations :—

#### *Citation, commencement and interpretation*

1. These regulations, which may be cited as the National Insurance (Industrial Injuries) (Prescribed Diseases) Amendment Regulations (Northern Ireland), 1953, shall be read as one with the National Insurance (Industrial Injuries) (Prescribed Diseases) Regulations (Northern Ireland), 1948 (b) (hereinafter referred to as "the principal regulations") as amended (c), and shall come into operation on the 22nd April, 1953.

#### *Amendment of paragraph 8 of Part I of the First Schedule to the principal regulations*

2. Paragraph 8 of Part I of the First Schedule to the principal regulations shall be amended by the substitution for the words "amido-derivative" in the first and second columns thereof of the words "amino-derivative" and that paragraph shall accordingly have effect as set out in the First Schedule hereto.

#### *Amendment relating to occupations in relation to which pneumoconiosis is prescribed*

3. Part II of the First Schedule to the principal regulations, as amended (d), (which Part sets out the occupations in relation to which pneumoconiosis is prescribed) shall be further amended by the addition at the end thereof of the occupations set out in the Second Schedule hereto.

#### *Transitional provisions*

4.—(1) Where a person, who has been employed on or at any time after the appointed day (e) in insurable employment in any of the occupations set out in the Second Schedule hereto, is suffering from a loss of faculty as the result of pneumoconiosis on the date on which these regulations come into operation, and the disease is due to the nature of that employment, the provisions of regulation 6 of the principal regulations (which relates to date of development) shall be applied subject to the modification that the said date on which these regulations come into operation shall be treated as the day on which he first suffered

(a) 1946, c.21. (b) S. R. & O. 1948, No. 212.

(c) S. R. & O. 1949, No. 173; S. R. & O. 1951, No. 21; S. & R. O. 1951, No. 31.

(d) See regulation 4, S. R. & O. 1951, No. 21. (e) 5th July, 1948, see S. R. & O.

1948, No. 35.

from the relevant loss of faculty, and the date of development shall be determined accordingly.

(2) Where a person to whom the last foregoing paragraph applies is awarded disablement benefit in respect of pneumoconiosis and claims an increase of that benefit under section 14 of the Act (which section relates to increase of disablement pension in cases of special hardship), then, if at any time after having been employed as aforesaid but before the date on which these regulations come into operation that person has abandoned any occupation as a result of the disease, the fact that he has abandoned that occupation shall be disregarded in determining his regular occupation for the purposes of the said Section 14.

(3) Where at any time after the appointed day but before the date on which these regulations come into operation, the death of any person who has been employed as aforesaid has resulted from pneumoconiosis, and the disease was due to the nature of that employment, that person shall be treated for the purposes of Part IV of the Act (which relates to extension of insurance to diseases) and of the principal regulations, as amended, as if these regulations had been in force at the date of death, subject to the following modifications:—

(a) no benefit shall be payable in respect of the death of that person —

(i) by way of pension or allowance for any period before the said date on which these regulations come into operation ;

(ii) by way of gratuity, on a claim made by or on behalf of any other person who has died before that date, or to the widow of the deceased if she has remarried before that date :

Provided that a person who would be entitled to any benefit but for the operation of this sub-paragraph shall (except as provided in the next succeeding sub-paragraph) be treated as if he were entitled thereto for the purposes of any rights or obligations under the Act (whether of himself or any other person) which depend on his being so entitled, other than the right to payment of that benefit :

(b) in applying, in respect of the death of that person, the provisions of the Fourth Schedule to the Act (which limit benefit payable in respect of any death), any person who has died before the said date on which these regulations come into operation shall be disregarded.

Sealed with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this 22nd day of April, 1953, in the presence of

(L.S.)

*William Allen,*

Assistant Secretary to the Ministry of Labour and National Insurance for Northern Ireland.

FIRST SCHEDULE

Regulation 2.

Paragraph 8 of Part I of the First Schedule to the principal regulations as amended.

Description of disease or injury	Nature of occupation
Poisoning by : 8. A nitro- or amino-derivative of benzene or of a homologue of benzene.	Any occupation involving : The use or handling of, or exposure to the fumes of, or vapour containing, a nitro- or amino-derivative of benzene or of a homologue of benzene.

SECOND SCHEDULE

Regulation 3.

11. Any occupation in or incidental to the manufacture of carbon electrodes by an industrial undertaking for use in the electrolytic extraction of aluminium from aluminium oxide, and any occupation involving substantial exposure to the dust arising therefrom.

12. Any occupation involving boiler scaling or substantial exposure to the dust arising therefrom.

**Transitional Provisions and Consequential Amendments**

REGULATIONS, DATED 6TH OCTOBER, 1953, MADE BY THE INDUSTRIAL INJURIES JOINT AUTHORITY AND THE MINISTRY OF LABOUR AND NATIONAL INSURANCE UNDER THE NATIONAL INSURANCE (INDUSTRIAL INJURIES) ACTS (NORTHERN IRELAND), 1946 TO 1953.

1953. No. 132

The Industrial Injuries Joint Authority, in exercise of powers conferred by sections 29 and 30 of the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946 (a) and the Ministry of Labour and National Insurance, in exercise of powers conferred by sections 25 (1) (b), 27 (1), 41, 51, and 55 (2) of the said Act and by section 3 (3) of, and paragraphs 2 (3) and 7 (2) of the Second Schedule to, the National Insurance (Industrial Injuries) Act (Northern Ireland), 1953 (b) and of all other powers enabling them in that behalf, hereby make the following regulations :—

*Citation, commencement and interpretation*

1.—(1) These regulations may be cited as the National Insurance (Industrial Injuries) (Transitional Provisions and Consequential Amendments) Regulations (Northern Ireland), 1953, and shall come into operation on the 7th October, 1953.

(2) In these regulations, unless the context otherwise requires —  
“ the principal Act ” means the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946, as amended by the National Insurance (Industrial Injuries) (Amendment) Act (Northern Ireland), 1948 (c), the National Insurance Act (Northern Ireland), 1951 (d) and the Family Allowances and National Insurance Act (Northern Ireland), 1952 (e) ;

(a) 1946. c.21. (b) 1953. c.30. (c) 1948. c.20. (d) 1951. c.18. (e) 1952. c.14.