

1966 No. 581

WORKMEN'S COMPENSATION**The Pneumoconiosis, Byssinosis and Miscellaneous Diseases Benefit (Amendment) Scheme 1966***Laid before Parliament in draft**Made - - - - - 17th May 1966**Coming into Operation 25th May 1966*

Whereas a draft of the following Scheme was laid before Parliament and approved by a resolution of each House of Parliament:

Now, therefore, the Minister of Pensions and National Insurance, with the consent of the Treasury, in exercise of powers conferred by the Pneumoconiosis and Byssinosis Benefit Act 1951(a), as extended by the Industrial Diseases (Benefit) Act 1954(b), and as further extended by the Workmen's Compensation and Benefit (Amendment) Act 1965(c), and of all other powers enabling her in that behalf, hereby makes the said Scheme:—

Citation, commencement and interpretation

1. This Scheme, which may be cited as the Pneumoconiosis, Byssinosis and Miscellaneous Diseases Benefit (Amendment) Scheme 1966, shall be read as one with the Pneumoconiosis, Byssinosis and Miscellaneous Diseases Benefit Scheme 1966(d), (hereinafter referred to as "the principal Scheme"), and shall come into operation on 25th May 1966.

Amendment of Article 8 of the principal Scheme

2.—(1) Article 8 of the principal Scheme (which provides for increase of allowance when constant attendance needed) shall be amended in accordance with the following provisions of this Article and accordingly shall have effect as set out in the Schedule hereto.

(2) The heading to the said Article 8 shall be amended by the addition at the end thereof of the words "and in respect of exceptionally severe disablement".

(3) In paragraph (1) of the said Article there shall be inserted after the words "(which relates to constant attendance allowance)" the words "or under Section 6 of the National Insurance Act 1966(e) (which relates to exceptionally severe disablement allowance)".

(4) Paragraph (2) of the said Article shall be amended by the addition at the end thereof of the words "or in respect of exceptionally severe disablement under the said Section 6 of the National Insurance Act 1966".

Margaret Herbison,

Minister of Pensions and National Insurance.

17th May 1966.

We consent

*E. Alan Fitch,**W. Howie,*Two of the Lords Commissioners of
Her Majesty's Treasury.

17th May 1966.

SCHEDULE

Article 2

*Containing Article 8 of the principal Scheme as amended by this Scheme**

Increase of allowance when constant attendance needed *and in respect of exceptionally severe disablement*

8.—(1) Where a person is entitled to an allowance in respect of total disablement and requires constant attendance as a result of that disablement, the weekly rate of the allowance payable to him shall, subject to the provisions of paragraph (2) of this Article, be increased by an amount equal to the increase of disablement pension (if any) payable to him under Section 15 of the Industrial Injuries Act (which relates to constant attendance allowance), *or under Section 6 of the National Insurance Act 1966 (which relates to exceptionally severe disablement allowance)*, if he were entitled in respect of the disease to a disablement pension calculated by reference to an assessment of 100 per cent.

(2) An increase of an allowance under this Article shall not be payable to any person for any period during which he is entitled to an increase of disablement pension in respect of the need for constant attendance under the said Section 15 or under Section 81 of the Industrial Injuries Act, *or in respect of exceptionally severe disablement under the said Section 6 of the National Insurance Act 1966.*

EXPLANATORY NOTE

(This Note is not part of the Scheme.)

This Scheme amends the Pneumoconiosis, Byssinosis and Miscellaneous Diseases Benefit Scheme 1966 so as to provide a new increase of allowance for exceptionally severely disabled persons covered by the Scheme who would be entitled to an increase of disablement pension for that disablement if they were entitled in respect of the disease to a disablement pension under the Industrial Injuries Act calculated by reference to an assessment of 100 per cent.

*The words added by this Scheme are shown in italics.