
STATUTORY INSTRUMENTS

1983 No. 136

The Pneumoconiosis, Byssinosis and Miscellaneous Diseases Benefit Scheme 1983

PART II

ALLOWANCES AND DEATH BENEFIT

Increase of allowance on account of unemployability

7.—(1) Where a person could for the purposes of section 58 of the Social Security Act (unemployability supplement) be treated as incapable of work and likely to remain permanently so incapable as the result of any disease in respect of which he is entitled to an allowance in respect of disablement, the weekly rate of the allowance payable to him shall, subject to the provisions of paragraph (3), be increased by an amount equal to the increase of disablement pension (if any) which would be payable to him under the said section 58 or, as the case may be, the said section 58 and section 59 of the said Act if he were entitled to disablement pension in respect of the disease.

(2) For the purposes of this article, the reference in section 59(2) of the Social Security Act (increase of unemployability supplement by reference to beneficiary's age on qualifying date) to "the qualifying date" shall, subject to the provisions of subsections (3), (4) and (5) of that section, mean the beginning of the first week for which a person qualified for an increase of allowance under this article.

(3) An increase of an allowance under this article shall be payable for such period as may be determined at the time it is granted, but may be renewed from time to time.

(4) 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 by way of unemployability supplement under section 58 or 59 of the Social Security Act.

(5) Where a person is entitled to an allowance in respect of partial disablement and is also entitled to an increase of that allowance under this article, the provisions of article 5 shall apply to him for any period during which he is entitled to such increase as they apply to a person entitled to an allowance in respect of total disablement and an increase of that allowance under this article.

Status:

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There are currently no known outstanding effects for the The Pneumoconiosis, Byssinosis and Miscellaneous Diseases Benefit Scheme 1983, Section 7.