
STATUTORY INSTRUMENTS

1993 No. 862

SOCIAL SECURITY

The Social Security (Industrial Injuries) (Prescribed Diseases) Amendment Regulations 1993

<i>Made</i>	- - - -	<i>25th March 1993</i>
<i>Laid before Parliament</i>		<i>29th March 1993</i>
<i>Coming into force</i>	- -	<i>19th April 1993</i>

The Secretary of State for Social Security, in exercise of the powers conferred by sections 108(2) and (4), 109(2) and (3), 122(1) and 175(1), (3) and (4) of the Social Security Contributions and Benefits Act 1992(1) and of all other powers enabling him in that behalf, after reference to the Industrial Injuries Advisory Council(2), hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Industrial Injuries) (Prescribed Diseases) Amendment Regulations 1993 and shall come into force on 19th April 1993.

(2) In these Regulations “the principal Regulations” means the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations 1985(3).

Amendment of regulation 1 of the principal Regulations

2. In regulation 1 of the principal Regulations (citation, commencement and interpretation)—

- (a) the definition of “lung cancer”(4) shall be omitted; and
- (b) after the definition of “prescribed disease” there shall be inserted the following definition—

““primary carcinoma of the lung” means the diseases numbered D8, D10 and D11 in Schedule 1 to these Regulations;”

(1) 1992 c. 4. Section 122 is cited for the definition which it ascribes to the word “prescribe”.
(2) See section 172 of the Social Security Administration Act 1992.
(3) S.I.1985/967. The relevant amending instruments are S.I.1987/335 and 1989/1207.
(4) This definition was substituted by regulation 2(2) of S.I.1987/335.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Amendment of regulation 4 of the principal Regulations

3. In regulation 4(1) of the principal Regulations (presumption that a disease is due to the nature of employment) after the words “diseases numbered A10,” there shall be inserted “A12,”.

Amendment of regulation 6 of the principal Regulations

4. In regulation 6(2) of the principal Regulations (date of onset), for the words “lung cancer” in each place where they occur there shall be substituted the words “primary carcinoma of the lung”.

Amendment of regulation 7 of the principal Regulations

5. In regulation 7(1) of the principal Regulations (recrudescence)(5) for the words “lung cancer” there shall be substituted the words “primary carcinoma of the lung”.

Amendment of Schedule 1 to the principal Regulations

6.—(1) Part I of Schedule 1 to the principal Regulations (list of prescribed diseases and the occupations for which they are prescribed) shall be amended in accordance with the following provisions of this regulation.

(2) After the entry relating to disease A11 (episodic blanching) there shall be inserted the following entry—

“A12. Carpal tunnel syndrome.	The use of hand-held vibrating tools.”.
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(3) At the end of the entry in column 2 relating to disease C23 (primary neoplasm) there shall be added the following sub-paragraph—

	“(d) exposure to coal tar pitch volatiles produced in aluminium smelting involving the Soderberg process (that is to say the method of producing aluminium by electrolysis in which the anode consists of a paste of petroleum coke and mineral oil which is baked <i>in situ</i>).”.
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(4) The description of disease D10 shall be amended by substituting for the words “Lung Cancer” the words “Primary carcinoma of the lung”.

(5) After the entry relating to disease D10 (primary carcinoma of the lung) there shall be inserted the following entry—

“D11. Primary carcinoma of the lung where there is accompanying evidence of silicosis.	Exposure to silica dust in the course of—
	(a) the manufacture of glass or pottery;
	(b) tunnelling in or quarrying sandstone or granite;
	(c) mining metal ores;
	(d) slate quarrying or the manufacture of artefacts from slate;
	(e) mining clay;

(5) Regulation 7 has been amended by regulation 3 of S.I.1989/1207.

- (f) using siliceous materials as abrasives;
 - (g) cutting stone;
 - (h) stonemasonry; or
 - (i) work in a foundry.”
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Revocation

7. Regulation 3 of the Social Security (Industrial Injuries) (Prescribed Diseases) Amendment Regulations 1991⁽⁶⁾ is hereby revoked.

Signed by authority of the Secretary of State for Social Security.

25th March 1993

Nicholas Scott
Minister of State,
Department of Social Security

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EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations 1985 (“the principal Regulations”) and come into force on 19 April 1993.

Regulation 6 provides for the prescription of two further industrial diseases—

- (i) carpal tunnel syndrome, where the disease is contracted as a result of the use of hand-held vibrating tools (disease A12); and
- (ii) primary carcinoma of the lung accompanied by silicosis, which is prescribed in relation to occupations associated with the use of free silica (disease D11).

The existing prescription of primary neoplasm of the bladder (disease C23) is extended by regulation 6(3) to apply to cases associated with the Soderberg aluminium smelting process.

Regulation 6(4) amends the description of disease D10 from “lung cancer” to “primary carcinoma of the lung”.

Regulation 2 removes from the interpretation provision of the principal Regulations the definition of “lung cancer” and inserts a definition of “primary carcinoma of the lung” as a consequence of the change made by regulation 6(4).

Regulation 3 disapplies the presumption that a prescribed disease is due to the nature of a person’s employment in the case of carpal tunnel syndrome (prescribed disease A12).

Regulation 5 excludes the application of regulation 7 of the principal Regulations (which deals with the recrudescence of certain prescribed diseases) in relation to the newly prescribed disease D11.

Regulation 7 contains a revocation.