
STATUTORY INSTRUMENTS

2007 No. 811

SOCIAL SECURITY

The Social Security (Industrial Injuries) (Prescribed Diseases) Amendment Regulations 2007

<i>Made</i>	- - - -	<i>12th March 2007</i>
<i>Laid before Parliament</i>		<i>16th March 2007</i>
<i>Coming into force</i>	- -	<i>6th April 2007</i>

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred by sections 108(2), 122(1) and 175(1) to (4) of the Social Security Contributions and Benefits Act 1992(1).

The Secretary of State is satisfied of the matters referred to in section 108(2)(a) and (b) of that Act. In accordance with section 172(2) of the Social Security Administration Act 1992(2), reference has been made to the Industrial Injuries Advisory Council.

Citation and commencement

1. These Regulations may be cited as the Social Security (Industrial Injuries) (Prescribed Diseases) Amendment Regulations 2007 and shall come into force on the 6th April 2007.

Amendment of Schedule 1 to the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations 1985

2.—(1) Part I of Schedule 1 to the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations 1985(3) (list of prescribed diseases and the occupations for which they are prescribed) is amended as follows.

(2) In the first column relating to prescribed disease A4, substitute “A4 Task-specific focal dystonia.”.

(3) In the first column of the entry relating to prescribed disease A5 omit “(beat hand)”.

(4) In the first column of the entry relating to prescribed disease A6 omit “(beat knee)”.

(1) 1992 c.4. Section 122(1) is cited for the definition of “prescribe”. Section 175 was amended by paragraph 29 of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c.2) and Schedule 6 to the Tax Credits Act 2002 (c.21).
(2) 1992 c.5.
(3) S.I. 1985/967; relevant amending instruments are S.I. 1993/862 and 1996/425.

- (5) In the first column of the entry relating to prescribed disease A7 omit “(beat elbow)”.
- (6) Omit the entry relating to prescribed disease A9.
- (7) For the entry in the second column relating to prescribed disease A12, substitute—
 - “(a) The use, at the time the symptoms first develop, of hand-held powered tools whose internal parts vibrate so as to transmit that vibration to the hand, but excluding those tools which are solely powered by hand; or
 - (b) repeated palmar flexion and dorsiflexion of the wrist for at least 20 hours per week for a period or periods amounting in aggregate to at least 12 months in the 24 months prior to the onset of symptoms, where “repeated” means once or more often in every 30 seconds.”.
- (8) In the second column of the entry relating to prescribed disease B6, at the end add “or (e) work involving exposure to metalworking fluid mists.”.

Transitional provision

3. Regulation 2 shall not apply to a period of assessment which relates to a claim made before the date on which these Regulations come into force.

Signed by the authority of the Secretary of State for Work and Pensions.

12th March 2007

Jim Murphy
Minister of State,
Department for Work and Pensions

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend Part I of Schedule 1 to the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations 1985 (S.I.1985/967), which prescribes diseases for which industrial injuries benefit is payable.

Regulation 2(2) amends prescribed disease A4 by replacing “Cramp of the hand or forearm due to repetitive movements” with “Task-specific focal dystonia”.

Regulation 2(3), (4) and (5) amend prescribed diseases A5, A6 and A7 by omitting the references to “beat hand”, “beat knee” and “beat elbow”. These terms are historical descriptions and are not widely used in modern clinical practice.

Regulation 2(6) omits prescribed disease A9, as miner’s nystagmus was a condition caused by poor lighting in mines and no longer occurs.

Regulation 2(7) amends prescribed disease A12 to reflect that symptoms are expected to begin in the job in which hand-held powered tools are used, and to extend the terms of prescription on the basis of activity in the job.

Regulation 2(8) amends prescribed disease B6 by extending the occupations to include work involving exposure to metalworking fluid mists.

Regulation 3 makes transitional provision so that the amendments made to Schedule 1 by Regulation 2 do not apply to claims made before these Regulations come into force.

A full regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business, charities and voluntary bodies.