

2009 No. 1396

SOCIAL SECURITY

**The Social Security (Industrial Injuries) (Prescribed Diseases)
Amendment Regulations 2009**

<i>Made</i> - - - -	<i>9th June 2009</i>
<i>Laid before Parliament</i>	<i>15th June 2009</i>
<i>Coming into force</i> - -	<i>13th July 2009</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), (3) and (4) of the Social Security Contributions and Benefits Act 1992(a).

The Secretary of State for Work and Pensions is satisfied of the matters referred to in section 108(2) of that Act.

In accordance with section 172(2) of the Social Security Administration Act 1992(b), 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 2009 and shall come into force on 13th July 2009.

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

2. In Part I of Schedule 1 to the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations 1985(c) (list of prescribed diseases and the occupations for which they are prescribed) after the entry relating to prescribed disease A13 (osteoarthritis of the hip) add—

“A14	Osteoarthritis of the knee.	Work underground in a coal mine for a period of, or periods which amount in aggregate to, at least 10 years in any one or more of the following occupations:
		(a) before 1st January 1986 as a coal miner; or
		(b) on or after 1st January 1986 as a—
		(i) face worker working on a non-

(a) 1992 c.4. Section 122(1) is an interpretation provision and is cited for the definition of the word “prescribe”. Section 175(1) and (4) was amended by paragraph 29 of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c.2).

(b) 1992 c.5.

(c) S.I. 1985/967; relevant amending instruments are S.I.1989/1207, 1994/2343, 1996/425, 2000/1588, 2003/2190, 2005/324, 2007/811 and 1753.

- mechanised coal face;
- (ii) development worker;
- (iii) face-salvage worker;
- (iv) conveyor belt cleaner; or
- (v) conveyor belt attendant.

“A non-mechanised coal face” means a coal face without either powered roof supports or a power loader machine which simultaneously cuts and loads the coal or without both.”.

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

Jonathan Shaw
Parliamentary Under-Secretary of State,
Department for Work and Pensions

9th June 2009

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations 1985 (S.I. 1985/967) (“the 1985 Regulations”), which prescribe diseases for which industrial injuries benefit is payable.

Regulation 2 amends Part I of Schedule 1 to the 1985 Regulations by adding osteoarthritis of the knee as it relates to certain occupations in the coal mining industry to the list of prescribed diseases.

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

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