
STATUTORY INSTRUMENTS

2022 No. 214

SOCIAL SECURITY

The Social Security (Industrial Injuries) (Prescribed Diseases) Amendment Regulations 2022

<i>Made</i>	- - - -	<i>3rd March 2022</i>
<i>Laid before Parliament</i>		<i>7th March 2022</i>
<i>Coming into force</i>	- -	<i>28th March 2022</i>

The Secretary of State for Work and Pensions, after reference to the Industrial Injuries Advisory Council⁽¹⁾, makes the following Regulations in exercise of the powers conferred by sections 108(1) and (2), 109(2) and (3)(a), 122 and 175(1) and (3) to (5) of the Social Security Contributions and Benefits Act 1992⁽²⁾.

The Secretary of State is satisfied of the matters to which section 108(2)(a) and (b) of that Act refer.

Citation, commencement and extent

1.—(1) These regulations may be cited as the Social Security (Industrial Injuries) (Prescribed Diseases) Amendment Regulations 2022 and come into force on [...].

(2) These regulations extend to England and Wales.

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

2.—(1) The Social Security (Industrial Injuries) (Prescribed Diseases) Regulations 1985⁽³⁾ are amended as follows.

(2) In Part 1 of Schedule 1 (list of prescribed diseases and the occupations for which they are prescribed), in the column headed “prescribed disease or injury” at entry A15—

(a) omit “resulting in fixed flexion deformity of one or more inter-phalangeal joints of one or more of the digits”; and

(1) See section 172(2) of the Social Security Administration Act 1992 (c. 5).

(2) 1992 c. 4. Sections 108(1) and 109(2) were amended by section 64(1)(c) of the Welfare Reform Act 2012 (c. 5). Section 109(2) was amended by paragraphs 65(a) – (d) of Schedule 7 to the Social Security Act 1998 (c. 14). Section 175(4) was amended by paragraph 29(4) of Schedule 3 to the Social Security Contributions (Transfer of Functions etc.) Act 1999 (c. 2). Section 175(5) was amended by paragraph 36 to Schedule 1(1) to the Social Security (Incapacity for Work) Act 1994 (c. 18). Section 122(1) is cited for the meaning of “prescribe”.

(3) S.I. 1985/967, amended by S.I. 2019/1241; there are other amending instruments, but none is relevant.

(b) after “hand” insert—

“involving—

- (i) fixed flexion deformity of one or more metacarpophalangeal joints greater than 45 degrees that developed during the period or periods set out in the second column in relation to this paragraph; or
- (ii) fixed flexion deformity of one or more interphalangeal joints that developed during the period or periods set out in the second column in relation to this paragraph; or
- (iii) fixed flexion deformity of one or more metacarpophalangeal joints greater than 45 degrees that developed after the period or periods in the second column in relation to this paragraph if there is evidence of the onset of metacarpophalangeal joint involvement or palmar changes (nodules or thickening) during that period or periods; or
- (iv) fixed flexion deformity of one or more interphalangeal joints that developed after the period or periods set out in the second column in relation to this paragraph if there is evidence of the onset of metacarpophalangeal joint involvement or palmar changes (nodules or thickening) during that period or periods.”.

(3) In Part 1 of Schedule 1 (list of prescribed diseases and the occupations for which they are prescribed), in the column headed “occupation” at entry A15—

- (a) after “years;” insert “and”;
- (b) after “week” for “; and” substitute “.”; and
- (c) omit paragraph (c).

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

3rd March 2022

Chloe Smith
Minister of State
Department of Work and Pensions

EXPLANATORY NOTE

(This note is not part of the Regulations)

Regulation 2 of these Regulations amends the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations 1985 (S.I. 1985/967).

In a report (published as Command Paper Cm 8860 on 8th May 2014⁽⁴⁾), the Industrial Injuries Advisory Council recommended that Dupuytren's contracture, arising from work for ten years or more in aggregate which involves the use of hand-held powered tools, be prescribed as a disease. Regulation 2 of the Social Security (Industrial Injuries) (Prescribed Diseases) Amendment Regulations 2019 (S.I. 2019/1241) introduced the prescription for Dupuytren's contracture.

The amendments made by regulation 2 amend the prescription for Dupuytren's contracture and provide further specification on the circumstances in which Industrial Injuries Disablement Benefit is payable. The reason for amending the prescription is to bring the regulations into line with the most up to date guidance from the Industrial Injuries Advisory Council.

Hard copies of the report may be obtained from the Department for Work and Pensions, IIDB Policy, Disability and Housing Support Directorate, Caxton House, Tothill Street, London SW1H 9NA.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

(4) <https://www.gov.uk/government/publications/dupuytren-s-contracture-due-to-hand-transmitted-vibration-iiac-report>.