

**2024 No. 46**

**SOCIAL SECURITY**

**The Pneumoconiosis, etc., (Workers' Compensation) (Specified Diseases and Prescribed Occupations) (Amendment) Order (Northern Ireland) 2024**

*Made - - - - 8th March 2024*

*Affirmed by resolution of the Assembly on 19th March 2024*

*Coming into operation in accordance with Article 1*

The Department for Communities makes the following Order in exercise of the powers conferred by Article 3(1) of, and paragraph 8(1) of the Schedule to, the Pneumoconiosis, etc., (Workers' Compensation) (Northern Ireland) Order 1979(a) and now vested in it(b).

**Citation and commencement**

1. This Order may be cited as the Pneumoconiosis, etc., (Workers' Compensation) (Specified Diseases and Prescribed Occupations) (Amendment) Order (Northern Ireland) 2024 and shall come into operation on the day after it is affirmed by resolution of the Assembly.

**Amendment of the Pneumoconiosis, etc., (Workers' Compensation) (Specified Diseases) Order**

2. For Article 2 of the Pneumoconiosis, etc., (Workers' Compensation) (Specified Diseases) Order (Northern Ireland) 1986(c) substitute—

**“Specified Diseases**

2. The following diseases are specified for the purposes of the Pneumoconiosis, etc., (Workers' Compensation) (Northern Ireland) Order 1979—

- (a) asbestos-related primary carcinoma of the lung;
- (b) unilateral or bilateral diffuse pleural thickening.”

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(a) S.I. 1979/925 (N.I. 9); Article 3(1) was amended by Article 22(a) of the Social Security (Northern Ireland) Order 1985 (S.I. 1985/1209 (N.I. 16)) and the Schedule was inserted by section 52(5) of the Welfare Reform Act (Northern Ireland) 2007 (c. 2)

(b) See Article 4(b) of S.R. 1999 No. 481, the Department for Employment and Learning Act (Northern Ireland) 2001 (c. 15 (N.I.)), Article 3 of S.R. 2006 No. 192 and section 1(7) of the Departments Act (Northern Ireland) 2016 (c. 5 (N.I.))

(c) S.R. 1986 No. 168

**Amendment of the Pneumoconiosis, etc., (Workers' Compensation) (Prescribed Occupations) Order**

3. In the table in Part 2 of the Schedule to the Pneumoconiosis, etc., (Workers' Compensation) (Prescribed Occupations) Order (Northern Ireland) 2007(a) (occupations prescribed in relation to the other diseases to which the Order applies)—

- (a) in the left hand column (disease), in the entry relating to primary carcinoma of the lung, for “one or both of the following” until the end, substitute “asbestosis”;
- (b) after the entry relating to primary carcinoma of the lung, insert—

“Primary carcinoma of the lung (except where there is evidence of asbestosis)	Any occupation involving exposure to asbestos in the course of— <ul style="list-style-type: none"><li>(a) the manufacture of asbestos textiles;</li><li>(b) spraying asbestos;</li><li>(c) asbestos insulation work; or</li><li>(d) applying or removing materials containing asbestos in the course of shipbuilding.”;</li></ul>
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- (c) in the left hand column, in the entry relating to bilateral diffuse pleural thickening, insert at the beginning “Unilateral or”.

Sealed with the Official Seal of the Department for Communities on 8th March 2024

(L.S.)

*David Tarr*  
A senior officer of the Department for Communities

## EXPLANATORY NOTE

*(This note is not part of the Order)*

Under the Pneumoconiosis, etc., (Workers' Compensation) (Northern Ireland) Order 1979 (S.I. 1979/925 (N.I. 9)) ("the 1979 Order") lump sum payments may be made to certain persons disabled by a disease to which the 1979 Order applies, or to dependants of persons who were so disabled before they died. The diseases covered by the 1979 Order are pneumoconiosis, byssinosis, diffuse mesothelioma, and such other diseases as are specified by the Department. The Pneumoconiosis, etc., (Workers' Compensation) (Specified Diseases) Order (Northern Ireland) 1986 (S.R. 1986 No. 168) specifies additional diseases to which the 1979 Order applies.

The Pneumoconiosis, etc., (Workers' Compensation) (Prescribed Occupations) Order (Northern Ireland) 2007 (S.R. 2007 No. 337) lists the occupations prescribed for the purpose of each disease to which the 1979 Order applies. It is a condition of entitlement under the 1979 Order that every relevant employer has ceased business. The occupations prescribed in S.R. 2007 No. 337 are relevant in determining whether there is a relevant employer.

Article 2 amends the diseases specified in S.R. 1986 No. 168 as follows—

- a) Primary carcinoma of the lung where there is accompanying evidence of asbestosis and/or bilateral diffuse pleural thickening has been replaced with asbestos-related primary carcinoma of the lung.
- b) Bilateral diffuse pleural thickening has been replaced with unilateral or bilateral diffuse pleural thickening.

Article 3 makes amendments to the occupations prescribed in S.R. 2007 No. 337 which are relevant to determine whether there is a relevant employer.

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