
STATUTORY INSTRUMENTS

2019 No. 1241

SOCIAL SECURITY

The Social Security (Industrial Injuries) (Prescribed Diseases) Amendment Regulations 2019

<i>Made</i>	- - - -	<i>5th September 2019</i>
<i>Laid before Parliament</i>		<i>9th September 2019</i>
<i>Coming into force</i>	- -	<i>9th December 2019</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) 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 refers.

Citation and commencement

1. These Regulations may be cited as the Social Security (Industrial Injuries) (Prescribed Diseases) Amendment Regulations 2019 and come into force on 9th December 2019.

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 regulation 4(2)⁽⁴⁾ (presumption that a disease is due to the nature of employment), after “A14,” insert “A15,”.

(3) In Part 1 of Schedule 1 (list of prescribed diseases and the occupations for which they are prescribed), after the entry for prescribed disease A14⁽⁵⁾, insert—

(1) See section 172(2) of the Social Security Administration Act 1992 (c.5).
(2) 1992 c.4. Section 108(1) is amended by section 64(1)(c) of the Welfare Reform Act 2012 (c.5). Section 175(4) is amended by paragraph 29(4) of Schedule 3 to the Social Security Contributions (Transfer of Functions etc.) Act 1999 (c.2). See section 122(1) for the meaning of “prescribe”.
(3) S.I. 1985/967, to which there are amendments not relevant to these Regulations.
(4) Regulation 4 is substituted by S.I. 2015/87 and amended by S.I. 2017/232.
(5) The entry for prescribed disease A14 is inserted by S.I. 2009/1396 and amended by S.I. 2012/647.

Status: This is the original version (as it was originally made).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

“A15 Dupuytren’s contracture of the hand resulting in fixed flexion deformity of one or more inter-phalangeal joints of one or more of the digits.	Any occupation involving the use 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) where - <ul style="list-style-type: none">(a) the use of those tools amounts to a period or periods in aggregate of at least 10 years;(b) within that period or those periods, the use of those tools amounts to at least 2 hours per day for 3 or more days per week; and(c) the onset of the disease fell within the period or periods of use specified in this paragraph.”
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Signed by authority of the Secretary of State for Work and Pensions

5th September 2019

Justin Tomlinson
Minister of State
Department for 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⁽⁶⁾), 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. As a result of these Regulations, the prescribed disease is presumed to be due to the nature of a person's employed earner's employment. The amendments made by regulation 2 add Dupuytren's contracture to the list of diseases for which Industrial Injuries Disablement Benefit is payable.

Hard copies of the report may be obtained from the Department for Work and Pensions, IIDB Policy, Disability Employment and Support Directorate, 3 South E, Quarry House, Leeds, LS2 7UA.

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.

⁽⁶⁾ <https://www.gov.uk/government/publications/dupuytren-s-contracture-due-to-hand-transmitted-vibration-iiac-report>.