
THE SILICOSIS AND ASBESTOSIS (MEDICAL ARRANGEMENTS) AMENDMENT SCHEME, 1943, DATED JUNE 22, 1943, MADE BY THE SECRETARY OF STATE UNDER THE WORKMEN'S COMPENSATION ACT, 1925 (15 & 16 GEO. 5. C. 84), THE WORKMEN'S COMPENSATION (SILICOSIS AND ASBESTOSIS) ACT, 1930 (20 & 21 GEO. 5. C. 29) AND THE WORKMEN'S COMPENSATION ACT, 1943 (6 & 7 GEO. 6 C. 6).

1943 No. 887

In pursuance of the powers conferred on me by Section 47 of the Workmen's Compensation Act, 1925, as extended by Section 2 of the Workmen's Compensation (Silicosis and Asbestosis) Act, 1930, and Sections 1 and 2 of the Workmen's Compensation Act, 1943, and of all other powers enabling me in that behalf, I hereby by this Scheme extend and vary the Silicosis and Asbestosis (Medical Arrangements) Scheme, 1931,^(a) as follows :—

1. *Definitions.*—In this Scheme :—

“ The disease ” means pneumoconiosis or pneumoconiosis accompanied by tuberculosis.

(a) S.R. & O. 1931 No. 341, p. 642 above.

Silicosis and Asbestosis (Medical Arrangements) Scheme

“Pneumoconiosis” means fibrosis of the lungs due to silica dust, asbestos dust, or other dust, and includes the condition of the lungs known as dust reticulation.

“The Benefit Scheme” means the Pneumoconiosis (Benefit) Scheme, 1943.(a)

“The Medical Arrangements Scheme” means the Silicosis and Asbestosis (Medical Arrangements) Scheme, 1931, as subsequently amended.

“The Administrative Board” means the Administrative Board set up by the Secretary of State under the Benefit Scheme.

2. The Medical Arrangements Scheme shall be extended and shall apply to the making of medical examinations and reports and giving the medical certificates required to be made or given by the Medical Board in pursuance of any Compensation Scheme made under Section 47 of the Workmen's Compensation Act, 1925, as extended by Section 1 of the Workmen's Compensation Act, 1943.

3. In the Medical Arrangements Scheme—

(1) In sub-paragraph (1) of paragraph 8 in head (b) after the words “industry or process” there shall be inserted the words “or in any particular operation or work in the industry”.

(2) In paragraph 22 at the end of head (d) there shall be inserted the following proviso :—

“Provided that where a workman has been suspended from employment in certain operations or work only in any industry nothing in this paragraph shall operate to prevent an employer from engaging or continuing to employ the workman in any other process or operation in the industry.”

(3) In the Second Schedule, in head 3 of Form C after the words “Industry or process (as specified in the Compensation Scheme)” there shall be inserted the words “or the particular operation or work in the said Industry”.

4. Where in pursuance of the Benefit Scheme a workman produces a warrant issued by the Administrative Board authorising him to be examined by the Medical Board, the Medical Board shall examine the workman and if satisfied that he is totally disabled by the disease give a certificate in the appropriate form set out in the Second Schedule to the Medical Arrangements Scheme.

Form B.

5. Where in pursuance of the Benefit Scheme the Administrative Board issue a warrant for the re-examination of a workman who has been certified by the Medical Board to be totally disabled as the result of the disease, the Medical Board shall re-examine the workman and give a fresh certificate in the appropriate form set out in the Second Schedule to the Medical Arrangements Scheme, confirming or amending the previous certificate.

Form D.

(a) S.R. & O. 1943 No. 886, p. 597 above.

WORKMEN'S COMPENSATION

Form A. 6. Where in pursuance of the Benefit Scheme the Secretary of the Administrative Board notifies the Medical Board that an application has been made by or on behalf of a dependant or dependants of a deceased workman for a certificate that the death of the workman has been caused by the disease, the Medical Board shall deal with the application in accordance with the provisions of paragraph 7 of the Medical Arrangements Scheme.

7. The Medical Board shall forward all certificates given in pursuance of the Benefit Scheme to the Secretary of the Administrative Board established thereunder.

8. Where a fee is prescribed by the Pneumoconiosis (Medical Fees) Regulations, 1943,(a) as payable in respect of any examination made or certificate given under the Benefit Scheme such fee shall be payable from the Benefit Fund established under that Scheme in accordance with such arrangements as may be specified in the Regulations.

9. This Scheme may be cited as the Silicosis and Asbestosis (Medical Arrangements) Amendment Scheme, 1943, and shall come into force on the 1st July, 1943.

Herbert Morrison,
One of His Majesty's Principal
Secretaries of State.

Home Office,
Whitehall.
22nd June, 1943.

(a) S.R. & O. 1943 No. 888, p. 605 above.