
THE ASBESTOS INDUSTRY (ASBESTOSIS) AMENDMENT SCHEME, 1946, DATED APRIL 16, 1946, MADE BY THE MINISTER OF NATIONAL INSURANCE 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), THE WORKMEN'S COMPENSATION ACT, 1943 (6 & 7 GEO. 6. c. 6) AND THE WORKMEN'S COMPENSATION (PNEUMOCONIOSIS) ACT, 1935 (9 & 10 GEO. 6. c. 16).

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Whereas the Secretary of State made the Asbestos Industry (Asbestosis) Scheme, 1931,(e) which Scheme is hereinafter referred to as "the principal Scheme";

And whereas it is desirable to extend and vary the principal Scheme;

Now therefore in pursuance of the powers conferred on him by Section 47 of the Workmen's Compensation Act, 1925, as amended by the Workmen's Compensation (Silicosis and Asbestosis) Act, 1930, the Workmen's Compensation Act, 1943, and the Ministry of National Insurance (Workmen's Compensation) Order, 1945,(f) and by the Workmen's Compensation (Pneumoconiosis) Act, 1945, and of all other powers enabling him in that behalf, the Minister of National Insurance by this Scheme provides as follows :—

(e) S.R. & O. 1931 No. 344 p. 553 above.

(f) S.R. & O. 1945 No. 318 *see* the title "Ministers of the Crown (Transfer of Functions)".

Byssinosis (Benefit) Scheme

1. For the purposes of any of the following provisions of the principal Scheme, namely :—

- (a) Proviso (b) to paragraph 4, so far as that proviso excludes the payment of compensation in cases where a workman has not been employed in certain processes at any time within the three years previous to the date of the injury ;
- (b) Sub-paragraph (2) of paragraph 8, which provides for contributions towards compensation from employers who have employed the workman in certain processes during the five years preceding the date of the injury ; and
- (c) Paragraph 13, which provides for the furnishing of information as to employers who have employed the workman in certain processes or occupations within the period of five years preceding the date of the injury ;

there shall be disregarded any period between the third day of September, 1939, and the thirty-first day of March, 1946, during which a workman has been engaged in any service or employment (other than service or employment in a process to which the principal Scheme applies or in any of the occupations mentioned in the First Schedule to that Scheme) which the County Court Judge or other arbitrator under the principal Scheme is satisfied the workman would not have undertaken but for a state of war.

2. This Scheme shall have effect whether the workman was last employed in any process specified in paragraph 2 of the principal Scheme or employed by the employer in question before or after the date of this Scheme.

3. This Scheme may be cited as “ The Asbestos Industry (Asbestosis) Amendment Scheme, 1946.”

Signed by order of the Minister of National Insurance this 16th day of April, 1946.

T. W. Phillips,
Secretary to the Ministry of
National Insurance.