
GUERNSEY STATUTORY INSTRUMENT

1978 - No. 3)

The Social Insurance (Industrial Injuries Benefits)(Guernsey)
Regulations, 1978

Made 4th December, 1978
Laid before the States
Coming into operation 1st January, 1979

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THE STATES INSURANCE AUTHORITY, in exercise of the powers conferred upon it by section forty, section fifty, section fifty-two, section fifty-four, section fifty-five, section fifty-six of the Social Insurance (Guernsey) Law, 1978, and by the Second Schedule and Part II of the Fourth Schedule to that Law, and of all other powers enabling it in that behalf, hereby orders:-

PART I

INTERPRETATION

Interpretation

1.(1) In these regulations, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:-

"the Claims and Payments Regulations" means the Social Insurance (Claims and Payments)(Guernsey) Regulations, 1978;

"determining authority" means the Administrator or the Tribunal, as the case may require;

"the Determination of Claims and Questions Regulations" means the Social Insurance (Determination of Claims and Questions) (Guernsey) Regulations, 1978;

"diagnosis question" means any question arising in connection with a claim for or an award of industrial medical benefit, industrial injury benefit or industrial disablement benefit as to whether any person is suffering or has suffered from a prescribed disease;

"farmer's lung" means the disease numbered 34 in Part I of the Third Schedule to these regulations;

"grindstone" means grindstone composed of natural or manufactured sandstone and includes a metal wheel or cylinder into which blocks of natural or manufactured sandstone are fitted;

"the Law" means the Social Insurance (Guernsey) Law, 1978;

"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 but does not include byssinosis;

"prescribed disease" means a disease or injury prescribed under Part III of these regulations, and references to a prescribed disease being contracted shall be deemed to include references to a prescribed injury being received;

"recrudescence question" means any question arising in connection with a claim for or an award of industrial medical benefit, industrial injury benefit or industrial disablement benefit as to whether a prescribed disease has, in fact, been contracted afresh in a case where that question arises under the provisions of regulation fifteen of these regulations;

"relevant disease" means, in relation to any claim for benefit in respect of a prescribed disease, the prescribed disease in respect of which benefit is claimed, but does not include any previous or subsequent attack of that disease suffered by the same person which, under the provisions of Part III of these regulations, is or has been treated as having developed on a date other than the date which, under the said provisions, is treated as the date of development for the purposes of the claim under consideration;

"the Residence and Persons Abroad Regulations" means the Social Insurance (Residence and Persons Abroad)(Guernsey) Regulations, 1978;

"silica rock" means quartz, quartzite, ganister, sandstone, gritstone and chert, but not natural sand or rotten rock;

"tuberculosis" in the description of the disease numbered 29 in Part I of the Third Schedule to these regulations means disease due to tuberculous infection, but when used elsewhere in these regulations in connection with pneumoconiosis means tuberculosis of the respiratory system;

and any other expressions have the same meanings as in the Law.

(2) Except where the context otherwise requires, any reference in these regulations to any enactment or regulations shall be construed as including a reference to that enactment or those regulations, as the case may be, as amended, repealed, replaced or revoked by or under any other enactment or by any other regulations.

(3) The Interpretation (Guernsey) Law, 1948, shall apply to the interpretation of these regulations as it applies to the interpretation of a Guernsey enactment.

PART II

PROVISIONS RELATING TO INDUSTRIAL INJURIES BENEFITS

Employments which are not to be treated for the purposes of industrial injuries benefits as employment

2.(1) Any employment in which a person is not gainfully occupied shall not be treated as employment for the purposes of industrial injuries benefits as employment notwithstanding that it would be so treated apart from this paragraph.

(2) Where a person over school-leaving age is gainfully occupied under a contract of service in any employment and that person is not insured under the Law by virtue of section one of the Law, that employment shall not be treated for the purposes of industrial injuries benefits as employment notwithstanding that it would be so treated apart from this paragraph.

Certain self-employed persons to be excluded for the purposes of industrial injuries benefits from the expression "insured person"

3. Any person who is a self-employed person and who is excepted at the time of the relevant accident from liability to pay contributions by virtue of a reciprocal agreement to which an Ordinance under section one hundred and thirteen of the Law relates or to which an Ordinance made under section sixty-eight of the Law of 1964 and having effect by virtue of Part II of the Fourth Schedule to the Law relates shall be excluded from the definition of the expression "insured person" in subsection (1) of section forty of the Law.

Disqualification for industrial injuries benefits

4.(1) Subject to paragraph (3) of this regulation, a person shall be disqualified for receiving industrial medical benefit, industrial injury benefit or industrial disablement benefit, if -

- (a) he fails without good cause to comply with a notice in writing given by or on behalf of the Authority requiring him to do so, to attend for and to submit himself to medical or other examination on a date not earlier than the third day after the day on which the notice was sent and at a time and place specified in that notice; or
- (b) he fails without good cause to attend for, or to submit himself to, medical or other treatment; provided that this disqualification shall not apply to any failure to attend

for, or to submit to, a surgical operation of a minor character, and is considered by the determining authority to be unreasonable;

- (c) he wilfully obstructs, or is guilty of other misconduct in connection with, any examination or treatment to which he is required by such notice as aforesaid to submit himself or any proceedings under the Law for the determination of his right to benefit.

(2) Subject to the next following paragraph, a person shall be disqualified for receiving industrial medical benefit or industrial injury benefit if he fails without good cause to comply with the requirements of subsection (4) of section fifty-six of the Law (which imposes the duty on a claimant to, or beneficiary of, any such benefit, in respect of any injury, not to behave in any manner calculated to retard his recovery).

(3) A person shall not be disqualified under the foregoing provisions of this regulation for receiving industrial injury benefit or industrial disablement benefit for a period exceeding ten weeks.

(4) For the purposes of paragraph (1) of this regulation -

- (a) "week" means any period of seven consecutive days;
- (b) in computing the period of notice required to be given by sub-paragraph (a) of that paragraph, Sunday shall not be disregarded.

Increase of industrial injury benefit for dependent relative and further conditions applicable

5. The provisions of regulation eleven of the Social Insurance (Unemployment, Sickness and Invalidity Benefit)(Guernsey) Regulations, 1978, and the First Schedule to those regulations shall have effect in relation to industrial injury benefit as they have effect in relation to sickness benefit.

Further definition of the principles of assessment of disablement and prescribed degrees of disablement

6.(1) The Second Schedule to the Law shall have effect subject to the provisions of this regulation.

(2) When the extent of disablement is being assessed for the purposes of section forty-nine of the Law, any disabilities which, though resulting from the relevant loss of faculty, also result, or without the relevant accident might have been expected to result, from a cause other than the relevant accident (hereafter in this regulation referred to as "the other effective cause") shall only be taken into account subject to and in accordance with the following provisions of this regulation.

(3) Any assessment of the extent of disablement made by reference to any disability to which the last foregoing paragraph applies, in a case where the other effective cause is a congenital defect or is an injury or disease received or contracted before the relevant accident, shall take account of all such disablement except to the extent to which the claimant would have been subject thereto during the period taken into account by the assessment if the relevant accident had not occurred.

(4) Any assessment of the extent of disablement made by reference to any disability to which paragraph (2) of this regulation applies, in a case where the other effective cause is an injury or disease received or contracted after and not directly attributable to the relevant accident, shall take account of all such disablement to the extent to which the claimant would have been subject thereto during the period taken into account by the assessment if that other effective cause had not arisen and where, in any such case, the extent of disablement would be assessed at not less than eleven per centum if that other effective cause had not arisen, the assessment shall also take account of any disablement to which the claimant may be subject as a result of that other effective cause except to the extent to which he would have been subject thereto if the relevant accident had not occurred.

(5) Any disablement to the extent to which the claimant is subject thereto as a result both of an accident and a disease or two or more accidents or diseases (as the case may be), being accidents arising out^{of} and in the course of, or diseases due to the nature of his employment, shall only be taken into account in assessing the extent of disablement resulting from one such

accident or disease being the one which occurred or developed last in point of time.

(6) Where the sole injury which a claimant suffers as a result of the relevant accident is one specified in the first column of the First Schedule to these regulations, whether or not such injury incorporates one or more other injuries so specified, the loss of faculty suffered by the claimant as a result of that injury shall be treated for the purposes of section forty-nine of, and the Second Schedule to, the Law as resulting in the degree of disablement set against such injury in the second column of that Schedule to the regulations subject to such increase or reduction of that degree of disablement as may be reasonable in the circumstances of the case where, having regard to the provisions of that Schedule to the Law and to the foregoing paragraphs of this regulation, that degree of disablement does not provide a reasonable assessment of the extent of disablement resulting from the relevant loss of faculty:

Provided that, where the relevant injury is one so specified in the said first column against which there is set in the said second column the degree of disablement of one hundred per centum and the claimant suffers some disablement to which he would have been subject whether or not the relevant accident had occurred, no reduction of that degree of disablement shall be required if the Medical Board or single medical practitioner acting instead of the Medical Board (as the case may be) is satisfied that, in the circumstances of the case, one hundred per centum is a reasonable assessment of the extent of disablement resulting from the relevant loss of faculty.

(7) For the purposes of assessing, in accordance with the provisions of the Second Schedule to the Law, the extent of disablement resulting from the relevant injury in any case which does not fall to be determined under the last foregoing paragraphs, the Medical Board or single medical practitioner acting instead of the Medical Board (as the case may be) may have such regard as may be appropriate to the prescribed degrees of disablement set against the injuries specified in the First Schedule to these

regulations.

Increase of disablement benefit for constant attendance

7. The amount by which the weekly rate of industrial disablement benefit may be increased under section fifty of the Law where constant attendance is required by a beneficiary as a result of the relevant loss of faculty shall be -

- (a) where the beneficiary (not being a case to which paragraph (b) of this regulation applies) is to a substantial extent dependent on such attendance for the necessities of life and is likely to remain so dependent for a prolonged period the amounts specified in paragraph 1 of the second column in the Second Schedule to these regulations;
- (b) where in such a case as is mentioned in paragraph (a) of this regulation the attendance required is part-time only, such amount less than the amount specified in the said paragraph 1 of the second column in the Second Schedule to these regulations as may be reasonable in the circumstances;
- (c) where in such a case as is mentioned in paragraph (a) of this regulation the attendance required is greater by reason of the beneficiary's exceptionally severe disablement, the amount specified in paragraph 2 of the second column in the Second Schedule to these regulations; or
- (d) where the beneficiary is so exceptionally severely disabled as to be entirely, or almost entirely, dependent on such attendance for the necessities of life, and is likely to remain so dependent for a

prolonged period and the attendance so required is whole-time, the amount specified in paragraph 3 of the second column in the Second Schedule to these regulations.

Treatment of distinct periods of hospital in-patients treatment as continuous for the purposes of section fifty-one of the Law

8. For the purposes of section fifty-one of the Law, a person who receives medical treatment as an in-patient for two or more distinct periods separated by an interval of less than a week in each case shall be treated as receiving such treatment continuously from the beginning of the first period until the end of the last.

Adjustment of increase of benefit in respect of successive accidents

9.(1) At any time at which the sum total of the several assessments in respect of two or more accidents suffered by any person amounts to not less than one hundred per centum during the continuance of the periods respectively taken into account thereby, the weekly rate of any industrial disablement benefit which is payable to him may be increased in accordance with the provisions of section fifty of the Law if he requires constant attendance as a result of the loss of faculty resulting from any one or more of such accidents, whether or not that benefit is payable in respect of an assessment of one hundred per centum or in respect of that loss of faculty.

(2) A beneficiary who has suffered two or more accidents shall not be entitled at any time to more than one increase of industrial disablement benefit under section fifty of the Law.

PART III

PRESCRIBED DISEASES

Prescription of diseases and injuries

10. For the purposes of Part III of the Law -
- (a) each disease or injury set out in the first column of Part I of the Third Schedule to these regulations is prescribed in relation to all insured persons to whom Part III of the Law applies and who have been employed on or after the fourth day of January, nineteen hundred and sixty-five in any occupation set against such disease or injury in the second column of the said Schedule;
 - (b) pneumoconiosis is prescribed in relation to all insured persons to whom Part III of the Law applies and who have been employed on or after that day in any occupation set out in Part II of the said Schedule.

Sequelae or resulting conditions

11. Where a person -
- (a) is an insured person to whom Part III of the Law applies;
and
 - (b) is suffering from a condition which, in his case, has resulted from a prescribed disease;

the provisions of Part III of the Law and of this Part of these regulations shall apply to him as if he were suffering from that disease, whether or not the condition from which he is suffering is itself a prescribed disease.

Presumption that a disease is due to the nature of employment

- 12.(1) Where an insured person has developed a disease which is prescribed in relation to him in Part I of the Third Schedule to these

regulations, that disease shall, unless the contrary is proved, be presumed to be due to the nature of his employment if that employment was in any occupation set against that disease in the second column of the said Part and he was so employed on, or at any time within one month immediately preceding, the date on which, under the subsequent provisions of these regulations, he is treated as having developed the disease:

Provided that this paragraph shall not apply to the diseases number 29, 32 and 33, respectively, in the said Schedule.

(2) Where an insured person in relation to whom tuberculosis is prescribed in paragraph 29 of Part I of the said Schedule has developed that disease, the disease shall, unless the contrary is proved, be presumed to be due to the nature of his employment if the date on which, under the subsequent provisions of these regulations, he is treated as having developed the disease is not less than six weeks after the date on which he was first employed in any occupation set against the disease in the second column of the said Part and not more than two years after the date on which he was last so employed.

(3) Where an insured person has developed pneumoconiosis, the disease shall, unless the contrary is proved, be presumed to be due to the nature of his employment if he has been employed in one or other of the occupations set out in Part II of the said Schedule for a period or periods amounting in the aggregate to not less than two years.

Development of disease

13. If on a claim for benefit under Part III of the Law in respect of a prescribed disease, a person is found to be or have been suffering from the disease, or to have died as the result thereof, the disease shall, for the purposes of such claim, be treated as having developed on a date (hereafter in these regulations referred to as "the date of development") determined in accordance with the provisions of the two next following regulations.

Date of development

14.(1) For the purposes of the first claim in respect of a prescribed disease suffered by an insured person, the date of development shall be determined in accordance with the following provisions of this regulation, and, save as provided in the next following regulation, that date shall be treated as the date of development for the purposes of any subsequent claim in respect of the same disease suffered by the same person:

Provided that -

- (a) any date of development determined for the purpose of that claim shall not preclude first consideration of the question whether the same person is suffering from the same disease on any subsequent claim for an award of benefit; and
- (b) if, on the consideration of the claim, no award of benefit is made, any date of development determined for the purposes of that claim shall be disregarded for the purposes of any subsequent claim.

(2) Where the claim for the purposes of which the date of development is to be determined is -

- (a) a claim for industrial injury benefit, the date of development shall be the first day on which the claimant was incapable of work as the result of the disease on or after the appointed day; or, if later, the date as from which benefit could be paid on that claim;
- (b) a claim for industrial disablement benefit, the date of development shall be the day on which the claimant first suffered from the relevant loss of faculty on or after the fourth day of January, nineteen hundred and sixty-five; or, if later,

the date as from which benefit could be paid on that claim;

- (c) a claim for widow's benefit, the date of development shall be the date of the death of the claimant's husband; or
- (d) a claim for industrial medical benefit, the date of development shall be the first day on which the claimant received medical attention as the result of the disease.

(3) In the foregoing paragraph, the expression "the date as from which benefit could be paid on that claim" means, in relation to any claim, the first day of the period in respect of which benefit could be paid on that claim having regard to the provisions of the Claims and Payments Regulations, or could have been so paid but for the provisions of paragraph (b) of subsection (3) of section forty-eight of the Law.

Recrudescence

15.(1) If a person after having been awarded benefit in respect of a prescribed disease, other than pneumoconiosis, recovers wholly or partially from the attack of the disease, and thereafter suffers from another attack of the same disease, or dies as the result thereof, then -

- (a) if the further attack commences or the death occurs during any period in respect of which he is or was entitled to industrial injury benefit or during a period taken into account by an assessment of disablement relating to such a previous award (either of which periods is hereinafter referred to as a "relevant period"), the disease shall be treated as a recrudescence of the attack to which the relevant period relates, unless it is otherwise determined in the manner referred to in the following sub-paragraph;

- (b) if the further attack commenced or the death occurs otherwise than during a relevant period, or if it is determined that the disease was in fact contracted afresh, it shall be treated as having been so contracted.

(2) For the purposes of the foregoing paragraph, a further attack of a prescribed disease shall be deemed to have commenced on the date which would be treated as the date of development under the provisions of the last foregoing regulation if no previous claim had been made in respect of that disease.

(3) Where, under the foregoing provisions of this regulation, a disease is treated as having been contracted afresh, the provisions of the last foregoing regulation shall be applied as though no previous claim had been made in respect of that disease and the date of development shall be determined accordingly.

Application of Part III of the Law in relation to prescribed diseases

16.(1) The provisions of Part III of the Law shall, in relation to prescribed diseases, be subject to the provisions of the next following three regulations, and, subject as aforesaid, to the modifications set out in paragraph (2) of this regulation.

(2) In Part III of the Law references to -

- (a) accidents shall be construed as references to prescribed diseases;
- (b) the relevant accident shall be construed as references to the relevant disease;
- (c) the date of the relevant accident shall be construed as references to the date of development of the relevant disease.

Application of Claims and Payments Regulations, Residence and Persons Abroad Regulations and Part II of these regulations, etc.

17.(1) Save in so far as they are expressly varied or excluded by, or are inconsistent with, the provisions of this Part of these regulations, the Claims and Payments Regulations, the Residence and Persons Abroad Regulations and Part II of these regulations shall apply in relation to prescribed diseases as they apply in relation to accidents.

(2) Save as provided in this Part of these regulations or where the context otherwise requires, references in the aforesaid regulations and in Part II of these regulations to accidents shall be construed as references to prescribed diseases, references to the relevant accident shall be construed as references to the relevant disease, and references to the date of the relevant accident shall be construed as references to the date of development of the relevant disease.

Industrial disablement benefit not preceded by industrial injury benefit

18. Where an insured person, not having been entitled to industrial injury benefit in respect of the relevant disease, claims industrial disablement benefit in respect of that disease, and under the foregoing provisions of this Part of these regulations a date of development is determined for the purposes of that claim, the following provisions shall apply, that is to say -

- (a) subsection (3) of section forty-nine of the Law shall not apply; and
- (b) paragraph 4 of the Second Schedule to the Law shall have effect as if the reference to the first day on which industrial disablement benefit is available to the claimant under the provisions of subsection (3) of section forty-nine of the Law there were substituted a reference to the date of development.

Assessment of extent of disablement

19. For the purposes of sub-paragraph (b) of paragraph 1 of the Second Schedule to the Law and of regulation six of these regulations, an injury or disease other than the relevant disease shall be treated as having been received or contracted before the relevant disease if it was received or contracted on or before the date of development, and as having been received or contracted after the relevant disease if it was received or contracted after that date.

Procedure for determination of claims and questions in respect of prescribed diseases

20.(1) The provisions of this regulation shall apply to all claims for benefit under Part III of the Law in respect of a prescribed disease and to all questions arising in connection with such claims or with any award of benefit thereon, but in their application in respect of pneumoconiosis shall be subject to the provisions of paragraph (2) and paragraph (3) of this regulation.

(2) Where any person is found to be suffering from pneumoconiosis accompanied by tuberculosis, the effects of the tuberculosis shall be treated for the purposes of Part III of the Law and of these regulations as if they were effects of the pneumoconiosis.

(3) Where any person is disabled by pneumoconiosis or pneumoconiosis accompanied by tuberculosis to an extent which would, if his physical condition were otherwise normal, be assessed at not less than fifty per centum, the effects of any emphysema and of any chronic bronchitis from which that person is found to be suffering shall be treated for the purposes of Part III of the Law and of these regulations as if they were effects of pneumoconiosis.

(4) The provisions of Part VI of the Law shall apply, as appropriate, to the determination of such claims and questions as aforesaid, subject to the modifications set out in the next following paragraph and to the following provisions of this regulation.

(5) In Part VI of the Law references to accidents shall be construed as references to prescribed diseases, references to the relevant accident shall be construed as references to the relevant disease and references to the date of the relevant accident shall be construed as references to the date of development of the relevant disease.

(6) All claims and questions to which this regulation applies shall be determined in accordance with the Determination of Claims and Questions Regulations, save in so far as those provisions are inconsistent with or are varied by these regulations; and, save as provided in this regulation, any reference in the Determination of Claims and Questions Regulations to the relevant accident shall be construed as a reference to the relevant disease and any reference to the date of the relevant accident shall be construed as a reference to the date of development of the relevant disease.

(7) If a diagnosis or recrudescence question arises in any case, the Administrator may refer that question for examination and report to one or more medical practitioners who shall have power, if he or they consider necessary to make or cause to be made in the case of pneumoconiosis or each of the diseases numbered 16, 31 and 34 in Part I of the Third Schedule to these regulations a radiological examination of the person's lungs.

PART IV

REPEALS, CITATION AND COMMENCEMENT

Repeals

21. The regulations specified in the Fourth Schedule to these regulations are hereby repealed.

Citation

22. These regulations may be cited as the Social Insurance (Industrial Injuries Benefits)(Guernsey) Regulations, 1978.

Commencement

23. These regulations shall come into force on the first day of January, nineteen hundred and seventy-nine.

Dated this fourth day of December, nineteen hundred and seventy-eight.

E.H. BODMAN

President of the States Insurance Authority,
for and on behalf of the Authority.

FIRST SCHEDULE

Regulation six

PRESCRIBED DEGREES OF DISABLEMENT

<u>Description of injury</u>	<u>Degree of disablement per centum</u>
1. Loss of both hands or amputation at higher sites	100
2. Loss of a hand and a foot	100
3. Double amputation through leg or thigh, or amputation through leg or thigh on one side and loss of other foot	100
4. Loss of sight to such an extent as to render the claimant unable to perform any work for which eyesight is essential	100
5. Very severe facial disfiguration	100
6. Absolute deafness	100
7. Forequarter or hindquarter amputation	100
<u>Amputation cases - upper limbs (either arm)</u>	
8. Amputation through shoulder joint	90
9. Amputation below shoulder with stump less than 20.5 centimetres from tip of acromion	80
10. Amputation from 20.5 centimetres from tip of acromion to less than 11.5 centimetres below tip of olecranon	70
11. Loss of a hand or of the thumb and four fingers of one hand or amputation from 11.5 centimetres below tip of olecranon	60
12. Loss of thumb	30
13. Loss of thumb and its metacarpal bone	40
14. Loss of four fingers of one hand	50
15. Loss of three fingers of one hand	30
16. Loss of two fingers of one hand	20
17. Loss of terminal phalanx of thumb	20
<u>Amputation cases - lower limbs</u>	
18. Amputation of both feet resulting in end-bearing stumps	90
19. Amputation through both feet proximal to the metatarso-phalangeal joint	80
20. Loss of all toes of both feet through the metatarso-phalangeal joint	40
21. Loss of all toes of both feet proximal to the proximal inter-phalangeal joint	30

	<u>Description of injury</u>	<u>Degree of disablement per centum</u>
22.	Loss of all toes of both feet distal to the proximal inter-phalangeal joint	20
23.	Amputation at hip	90
24.	Amputation below hip with stump not exceeding 13 centimetres in length measured from tip of great trochanter	80
25.	Amputation below hip and above knee with stump exceeding 13 centimetres in length measured from tip of great trochanter, or at knee not resulting in end-bearing stump	70
26.	Amputation at knee resulting in end-bearing stump or below knee with stump not exceeding 9 centimetres	60
27.	Amputation below knee with stump exceeding 9 centimetres but not exceeding 13 centimetres	50
28.	Amputation below knee with stump exceeding 13 centimetres	40
29.	Amputation of one foot resulting in end-bearing stump	30
30.	Amputation through one foot proximal to the metatarso-phalangeal joint	30
31.	Loss of all toes of one foot through the metatarso-phalangeal joint	20

Other injuries

32.	Loss of one eye, without complications, the other being normal	40
33.	Loss of vision of one eye, without complications or disfigurement of eyeball, the other being normal	30

Loss of:

A. Fingers of right or left hand

	Index finger -	
34.	Whole	14
35.	Two phalanges	11
36.	One phalanx	9
37.	Guillotine amputation of tip without loss of bone	5
	Middle finger -	
38.	Whole	12
39.	Two phalanges	9
40.	One phalanx	7
41.	Guillotine amputation of tip without loss of bone	4

	<u>Description of injury</u>	<u>Degree of disablement per centum</u>
	Ring or little finger -	
42.	Whole	7
43.	Two phalanges	6
44.	One phalanx	5
45.	Guillotine amputation of tip without loss of bone	2
	<u>B. Toes of right or left foot</u>	
	Great toe -	
46.	Through metatarso-phalangeal joint	14
47.	Part, with some loss of bone	3
	Any other toe -	
48.	Through metatarso-phalangeal joint	3
49.	Part, with some loss of bone	1
	Two toes of one foot, excluding great toe -	
50.	Through metatarso-phalangeal joint	5
51.	Part, with some loss of bone	2
	Three toes of one foot, excluding great toe -	
52.	Through metatarso-phalangeal joint	6
53.	Part, with some loss of bone	3
	Four toes of one foot, excluding great toe -	
54.	Through metatarso-phalangeal joint	9
55.	Part, with some loss of bone	3

RATES OF INCREASE OF INDUSTRIAL DISABLEMENT BENEFIT UNDER SECTION FIFTY
OF THE LAW WHERE CONSTANT ATTENDANCE IS REQUIRED

Description of case (1)	Rate of increase (2)
1. Where beneficiary is dependent to a substantial extent on constant attendance	1. £5
2. Where beneficiary is dependent to a substantial extent on constant attendance and where attendance required is greater by reason of exceptionally severe disablement	2. £7.50
3. Where beneficiary is entirely or almost entirely dependent on constant attendance	3. £10

PRESCRIBED DISEASES

PART I

Description of disease or injury	Nature of occupation
<p>Poisoning by:-</p> <ol style="list-style-type: none"> 1. Lead or a compound of lead. 2. Manganese or a compound of manganese. 3. Phosphorus or phosphine or poisoning due to the anticholinesterase action of organic phosphorus compounds. 4. Arsenic or a compound of arsenic. 5. Mercury or a compound of mercury. 6. Carbon bisulphide. 7. Benzene or a homologue. 	<p>Any occupation involving:-</p> <p>The use or handling of, or exposure to the fumes, dust or vapour of, lead or a compound of lead, or a substance containing lead.</p> <p>The use or handling of, or exposure to the fumes, dust or vapour of, manganese or a compound of manganese, or a substance containing manganese.</p> <p>The use or handling of, or exposure to the fumes, dust or vapour of, phosphorus or a compound of phosphorus, or a substance containing phosphorus.</p> <p>The use or handling of, or exposure to the fumes, dust or vapour of, arsenic or a compound of arsenic, or a substance containing arsenic.</p> <p>The use or handling of, or exposure to the fumes, dust or vapour of, mercury or a compound of mercury, or a substance containing mercury.</p> <p>The use or handling of, or exposure to the fumes or vapour of, carbon bisulphide or a compound of carbon bisulphide, or a substance containing carbon bisulphide.</p> <p>The use or handling of, or exposure to the fumes of, or vapour containing, benzene or any of its homologues.</p>

Description of disease or injury	Nature of occupation
Poisoning by :-	Any occupation involving:-
8. A nitro- or amino- or chloro-derivative of benzene, or of a homologue of benzene, or poisoning by nitrochlorbenzene.	The use or handling of, or exposure to the fumes of, or vapour containing, a nitro- or amino- or chloro-derivative of benzene or of a homologue of benzene or nitrochlorbenzene.
9. Dinitrophenol or a homologue or by substituted dinitrophenols or by the salts of such substances.	The use or handling of, or exposure to the fumes of, or vapour containing, dinitrophenol or a homologue or substituted dinitrophenols or the salts of such substances.
10. Tetrachlorethane.	The use or handling of, or exposure to the fumes of, or vapour containing, tetrachlorethane.
11. Tri-cresyl phosphate.	The use or handling of, or exposure to the fumes of, or vapour containing, tri-cresyl phosphate.
12. Tri-phenyl phosphate.	The use or handling of, or exposure to the fumes of, or vapour containing, tri-phenyl phosphate.
13. Diethylene dioxide (dioxan).	The use or handling of, or exposure to the fumes of, or vapour containing, diethylene dioxide (dioxan).
14. Methyl bromide.	The use or handling of, or exposure to the fumes of, or vapour containing, methyl bromide.
15. Chlorinated naphthalene.	The use or handling of, or exposure to the fumes of, or dust or vapour containing chlorinated naphthalene.
16. Nitrous fumes.	The use or handling of nitric acid or exposure to nitrous fumes.
17. Gonioma kamassi (African boxwood).	The manipulation of gonioma kamassi or any process in or incidental to the manufacture of articles therefrom.

Description of disease or injury	Nature of occupation
18. Anthrax.	<p>Any occupation involving:</p> <p>The handling of wool, hair, bristles, hides or skins or other animal products or residues, or contact with animals infected with anthrax.</p>
19. Glanders.	<p>Contact with equine animals or their carcasses.</p>
20. (a) Infection by <i>Leptospira icterohaemorrhagiae</i> .	<p>Work in places which are, or are liable to be, infested by rats.</p>
(b) Infection by <i>Leptospira canicola</i> .	<p>Work at dog kennels or the care or handling of dogs.</p>
21. (a) Dystrophy of the cornea (including ulceration of the corneal surface) of the eye.	<p>The use or handling of, or exposure to arsenic, tar, pitch, bitumen, mineral oil (including paraffin), soot or any compound product (including quinone or hydroquinone), or residue of any of these substances.</p>
(b) Localised new growth of the skin, papillomatous or keratotic.	
(c) Squamous-celled carcinoma of the skin, due in any case to arsenic, tar, pitch, bitumen, mineral oil (including paraffin), soot or any compound, product (including quinone or hydroquinone) or residue of any of these substances.	
22. Inflammation, ulceration or malignant disease of the skin or subcutaneous tissues or of the bones, or blood dyscrasia, or cataract, due to electro-magnetic radiations (other than radiant heat), or to ionising particles.	<p>Exposure to electro-magnetic radiations other than radiant heat, or to ionising particles.</p>
23. Heat cataract.	<p>Frequent or prolonged exposure to rays from molten or red-hot material.</p>
24. Cramp of the hand or forearm due to repetitive movements,	<p>Prolonged periods of hand-writing, typing or other repetitive movements of the fingers, hand or arm.</p>

Description of disease or injury	Nature of occupation
25. Subcutaneous cellulitis of the hand (Beat hand).	Any occupation involving: Manual labour causing severe or prolonged external friction or pressure on the hand.
26. Bursitis or subcutaneous cellulitis arising at or about the knee due to severe or prolonged external friction or pressure at or about the knee (Beat knee).	Manual labour causing severe or prolonged external friction or pressure at or about the knee.
27. Bursitis or subcutaneous cellulitis arising at or about the elbow due to severe or prolonged external friction or pressure at or about the elbow (Beat elbow).	Manual labour causing severe or prolonged external friction or pressure at or about the elbow.
28. Traumatic inflammation of the tendons of the hand or forearm, or of the associated tendon sheaths.	Manual labour, or frequent or repeated movements of the hand or wrist.
29. Tuberculosis.	Close and frequent contact with a source or sources of tuberculous infection by reason of employment - (a) in the medical treatment or nursing of a person or persons suffering from tuberculosis, or in a service ancillary to such treatment or nursing; (b) in attendance upon a person or persons suffering from tuberculosis, where the need for such attendance arises by reason of physical or mental infirmity; (c) as a laboratory worker, pathologist or person taking part in or assisting at post-mortem examinations of human remains where the occupation involves working with material which is a source of tuberculous infection.

Description of disease or injury	Nature of occupation
<p>30. Primary neoplasm of the epithelial lining of the urinary bladder (Papilloma of the bladder), or of the epithelial lining of the renal pelvis, or of the epithelial lining of the ureter or of the epithelial lining of the urethra.</p>	<p>Any occupation involving:</p> <ul style="list-style-type: none"> (a) Work in a building in which any of the following substances is produced for commercial purposes:- <ul style="list-style-type: none"> (i) alpha-naphthylamine or beta-naphthylamine; (ii) diphenyl substituted by at least one nitro or primary amino group or by at least one nitro and primary amino group; (iii) any of the substances mentioned in sub-paragraph (i) above if further ring substituted by halogeno, methyl or methoxy groups, but not by other groups; (iv) the salts of any of the substances mentioned in sub-paragraphs (i) to (iii) above; (v) auramine or magenta; (b) the use or handling of any of the substances mentioned in sub-paragraphs (i) to (iv) of paragraph (a), or work in a process in which any such substance is used or handled or is liberated; (c) the maintenance or cleaning of any plant or machinery used in any such process as is mentioned in paragraph (b), or the cleaning of clothing used in any such building as is mentioned in paragraph (a) if such clothing is cleaned within the works of which the building forms a part or in a laundry maintained and used solely in connection with such works.

Description of disease or injury	Nature of occupation
31. Poisoning by cadmium.	Any occupation involving:- Exposure to cadmium fumes.
32. Inflammation or ulceration of the mucuous membrane of the upper respiratory passages or mouth produced by dust, liquid or vapour.	Exposure to dust, liquid or vapour.
33. Non-infective dermatitis of external origin (including chrome ulceration of the skin but excluding dermatitis due to ionising particles or electro-magnetic radiations other than radiant heat).	Exposure to dust, liquid or vapour or any other external agent capable of irritating the skin (including friction or heat but excluding ionising particles or electro-magnetic radiation other than radiant heat).
34. Pulmonary disease due to the inhalation of the dust of mouldy hay or of other mouldy vegetable produce, and characterised by symptoms and signs attributable to a reaction of the peripheral part of the broncho-pulmonary system, and giving rise to a defect in gas exchange (Farmer's lung).	Exposure to the dust of mouldy hay or other mouldy vegetable produce by reason of employment:- (a) in agriculture or horticulture; or (b) loading or unloading or handling in storage such hay or other vegetable matter.
35. Adeno-carcinoma of the nasal cavity or associated air sinuses.	Attendance for work in or about a building where wooden furniture is manufactured.
36. Infection by brucella abortus.	Contact with bovine animals infected by brucella abortus, their carcasses or parts thereof, or their untreated products, or with laboratory specimens or vaccines of or containing brucella abortus, by reason of employment:- (a) as a factory worker; (b) as a veterinary worker; (c) as a slaughterhouse worker; (d) as a laboratory worker; or (e) in any other work relating to the care, treatment, examination or handling of such animals, carcasses or parts thereof, or products.

Description of disease or injury	Nature of occupation
37. Viral Hepatitis.	<p>Any occupation involving:-</p> <ul style="list-style-type: none">(a) Close and frequent contact with human blood or human blood products; or(b) Close and frequent contact with a source of viral hepatitis infection by reason of employment in the medical treatment or nursing of a person or persons suffering from viral hepatitis, or in a service ancillary to such treatment or nursing.

PART II

1. Any occupation involving -
 - (a) the quarrying or working of silica rock or the working of dried quartzose sand or any dry deposit or dry residue of silica or any dry admixture containing such materials or to the manufacture of articles containing crushed or ground silica rock;
 - (b) the handling of any of the materials specified in the foregoing sub-paragraph in or incidental to any of the operations mentioned therein, or substantial exposure to the dust arising from such operations.
2. Any occupation in or incidental to the manufacture of china or earthenware (including earthenware tiles), and any occupation involving substantial exposure to the dust arising therefrom.
3. Any occupation involving the dressing of granite or any igneous rock by masons or the crushing of such materials, or substantial exposure to the dust arising from such operations.
4. Any occupation involving the use, or preparation for use, of a grindstone, or substantial exposure to the dust arising therefrom.
5. Any occupation involving -
 - (a) the working or handling of asbestos or any admixture of asbestos;
 - (b) the cleaning of any machinery or plant used in any of the foregoing operations and of any chambers, fixtures and appliances for the collection of asbestos dust;
 - (c) substantial exposure to the dust arising from any of the foregoing operations.

6. Any occupation involving boiler scaling or substantial exposure to the dust arising therefrom.

FOURTH SCHEDULE

Regulation twenty-one

REGULATIONS REPEALED

The Social Insurance (Industrial Disablement Benefit)(Guernsey) Regulations, 1964.

The Social Insurance (Industrial Disablement Benefit)(Amendment)(Guernsey) Regulations, 1968.

The Social Insurance (Prescribed Diseases)(Guernsey) Regulations, 1964.

The Social Insurance (Prescribed Diseases)(Amendment)(Guernsey) Regulations, 1968.

The Social Insurance (Prescribed Diseases)(Amendment)(Guernsey) Regulations, 1969.

The Social Insurance (Prescribed Diseases)(Amendment)(Guernsey) Regulations, 1972.

The Social Insurance (Prescribed Diseases)(Amendment)(Guernsey) Regulations, 1976.