

GUERNSEY STATUTORY INSTRUMENT

2002 - No. 51

The Social Insurance (Industrial Injuries Benefits) (Amendment) Regulations, 2002

Made	...	28th November, 2002
Laid before the States	...	
Coming into operation	...	1st January, 2003

THE GUERNSEY SOCIAL SECURITY AUTHORITY, in exercise of the powers conferred upon it by section 54, 55 and 116 of the Social Insurance (Guernsey) Law, 1978, as amended^a, and of all other powers enabling it in that behalf, hereby orders:-

Amendment

1. In regulation 1(1) of the Social Insurance (Industrial Injuries Benefits) (Guernsey) Regulations, 1978^b ("the principal Regulations"):

- (a) the definition of "farmer's lung" is deleted;
- (b) in the definition of "tuberculosis" for the expression "29 in Part 1 of" there is substituted "B5 in".

2. In regulation 6 of the principal Regulations, immediately following paragraph (7) there is inserted:

"(8) (a) The assessment of the extent of disability in the case of the disease numbered A10 in the Third Schedule to these Regulations ("occupational deafness") shall be the percentage calculated by

- (i) determining the average total hearing loss due to all causes for each ear at 1, 2 and 3 kHz frequencies, and then by
- (ii) determining the percentage degree of disablement for each ear in accordance with Part 1 of the Fifth Schedule to these Regulation, and then by
- (iii) determining the average percentage degree of binaural displacement in accordance with the formula set out in Part 2 of that Schedule.

(b) In the Fifth Schedule to these Regulations "better ear" means that ear in which the claimant's hearing loss due to all causes is the lesser and "worse ear" means that ear in which the hearing loss due to all causes is the greater.

^a Ordres en Conseil Vol. XXVI, p. 292; Vol. XXVII, pp. 238, 307 and 392; Vol. XXIX, pp. 24, 148 and 422; No. V of 1990; Nos. V and XII of 1993; Ordinance No. XIV of 1993; Ordres en Conseil No. V of 1994, Nos. VI and XIII of 1995; No. I of 1998; No. VI of 1999; No. X of 2000; No. IX of 2001.

^b S.I. 1978 No. 31

(c) For the purposes of determining the percentage degree of disablement in Part 1 of the Fifth Schedule to these Regulations, any fraction of an average hearing loss shall, where the average hearing loss is over 50dB, be rounded down to the nearest whole figure.

(d) The extent of disablement in respect of occupational deafness shall be subject to such reduction or increase of the degree of disablement as may be reasonable in the circumstances of the case where that degree of disablement does not provide a reasonable assessment of the extent of the disability resulting from the relevant loss of faculty.”.

3. In regulation 10 of the principal Regulations:

(a) the dash and sub-paragraph number (a) are deleted, the words “Part 1 of” are deleted and the semi-colon is replaced by a full-stop;

(b) sub-paragraph (b) is deleted.

4. In regulation 12 of the principal Regulations:

(a) in paragraph (1) the words “Part 1 of” are deleted and for the word “Part” there is substituted “Schedule”;

(b) in the proviso to paragraph (1), for the words and figures “number 29, 32 and 33, respectively, in the said Schedule” there is substituted “numbered D4 or D5 in the Third Schedule to these Regulations, or any disease caused by an infectious organism,”;

(c) in paragraph (2) the words “paragraph 29 of Part 1 of” are deleted;

(d) immediately following paragraph (3) there is inserted:

“(4) Where an insured person has developed the disease numbered D7 in the Third Schedule to these Regulations (occupational asthma) the presumption set out in paragraph (1) shall apply only if the date on which he is treated as having developed the disease is not more than five years after the date on which he was last employed in an occupation in which he was exposed to a sensitising agent.”.

5. Paragraph (7) of regulation 20 of the principal Regulations is repealed.

6. For the Third Schedule to the principal Regulations there is substituted the schedule set out in the First Schedule to this regulation.

7. Immediately following the Fourth Schedule to the principal Regulations there is inserted the schedule set out in the Second Schedule to these Regulations.

Citation

8. These Regulations may be cited as the Social Insurance (Industrial Injuries Benefits) (Amendment) Regulations, 2002.

Commencement

9. These Regulations shall come into force on the 1st January, 2003

Dated this 28th day of November, 2002.



O D Le Tissier

President of the Guernsey Social Security Authority,
for and on behalf of the Authority.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations bring the list of prescribed industrial diseases into line with that in force in the United Kingdom and introduce conditions for which industrial disablement benefit has not previously been payable. The other amendments are of a consequential nature.

FIRST SCHEDULE

Regulation 6.

"THIRD SCHEDULE

Regulation 10

PRESCRIBED DISEASES

A. Conditions due to physical agents

<i>Prescribed disease or injury</i>	<i>Occupation: Any occupation involving:</i>
A1. Leukaemia (other than chronic lymphatic leukaemia) or cancer of the bone, female breast, testis or thyroid.	Exposure to electro-magnetic radiations (other than radiant heat) or to ionising particles where the dose is sufficient to double the risk of the occurrence of the condition.
A2. Cataract.	Frequent or prolonged exposure to radiation from red-hot or white-hot material.
A3. Dysbarism, including decompression sickness, barotrauma and osteonecrosis.	Subjection to compressed or rarefied air or other respirable gases or gaseous mixtures.
A4. Cramp of the hand or forearm due to repetitive movements.	Prolonged periods of handwriting, typing or other repetitive movements of the fingers, hand or arm.
A5. Subcutaneous cellulitis of the hand (beat hand).	Manual labour causing severe or prolonged friction or pressure on the hand.
A6. 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.
A7. 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.
A8. 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.
A9. Miner's nystagmus.	Work in or about a mine.
A10. Sensorineural hearing loss amounting to at least 50 dB in each ear, being the average of hearing losses at 1, 2 and 3 kHz frequencies, and being due in the case of at least one ear to occupational noise (occupational deafness).	<ul style="list-style-type: none"> (a) The use of powered (but not hand powered) grinding tools on metal (other than sheet metal or plate metal), or work wholly or mainly in the immediate vicinity of those tools whilst they are being so used; or (b) the use of pneumatic percussive tools on metal, or work wholly or mainly in the immediate vicinity of those tools whilst they are being so used; or (c) the use of pneumatic percussive tools for drilling rock in quarries or underground or in mining coal or in sinking shafts or for tunnelling in civil engineering works, or work wholly or mainly in the immediate vicinity of those tools whilst they are being so used; or (d) the use of pneumatic percussive tools on stone in quarry works, or work wholly or mainly in the immediate vicinity of those tools whilst they are being so used; or

<i>Prescribed disease or injury</i>	<i>Occupation: Any occupation involving:</i>
A10 (Occupational deafness) (Contd)	<ul style="list-style-type: none"> <li data-bbox="727 248 1458 371">(e) work wholly or mainly in the immediate vicinity of plant (excluding power press plant) engaged in the forging (including drop stamping) of metal by means of closed or open dies or drop hammers; or <li data-bbox="727 383 1458 539">(f) work in textile manufacturing where the work is undertaken wholly or mainly in rooms or sheds in which there are machines engaged in weaving man-made or natural (including mineral) fibres or in the high speed twisting of fibres; or <li data-bbox="727 551 1458 640">(g) the use of, or work wholly or mainly in the immediate vicinity of, machines engaged in cutting, shaping or cleaning metal nails; or <li data-bbox="727 651 1458 741">(h) the use of, or work wholly or mainly in the immediate vicinity of, plasma spray guns engaged in the deposition of metal; or <li data-bbox="727 752 1458 1167">(i) the use of, or work wholly or mainly in the immediate vicinity of, any of the following machines engaged in the working of wood or material composed partly of wood, that is to say: multi-cutter moulding machines, planing machines, automatic or semi-automatic lathes, multiple cross-cut machines, automatic shaping machines, double-end tenoning machines, vertical spindle moulding machines (including high speed routing machines), edge banding machines, bandsawing machines with a blade width of not less than 75 millimetres and circular sawing machines in the operation of which the blade is moved towards the material being cut; or <li data-bbox="727 1178 1222 1211">(j) the use of chain saws in forestry; or <li data-bbox="727 1223 1458 1279">(k) air arc gouging or work wholly or mainly in the immediate vicinity of air arc gouging; or <li data-bbox="727 1290 1458 1447">(l) the use of band saws, circular saws or cutting discs for cutting metal in the metal founding or forging industries, or work wholly or mainly in the immediate vicinity of those tools whilst they are being so used; or <li data-bbox="727 1458 1458 1581">(m) the use of circular saws for cutting products in the manufacture of steel, or work wholly or mainly in the immediate vicinity of those tools whilst they are being so used; or <li data-bbox="727 1592 1458 1715">(n) the use of burners or torches for cutting or dressing steel based products, or work wholly or mainly in the immediate vicinity of those tools whilst they are being so used; or <li data-bbox="727 1727 1398 1794">(o) work wholly or mainly in the immediate vicinity of skid transfer banks; or <li data-bbox="727 1805 1398 1861">(p) work wholly or mainly in the immediate vicinity of knock out and shake out grids in foundries; or <li data-bbox="727 1872 1458 1962">(q) mechanical bobbin cleaning or work wholly or mainly in the immediate vicinity of mechanical bobbin cleaning; or

<i>Prescribed disease or injury</i>	<i>Occupation: Any occupation involving:</i>
A10 (Occupational deafness) (Contd)	<p>I the use of, or work wholly or mainly in the immediate vicinity of, vibrating metal moulding boxes in the concrete products industry; or</p> <p>(s) the use of, or work wholly or mainly in the immediate vicinity of, high pressure jets of water or a mixture of water and abrasive material in the water jetting industry (including work under water); or</p> <p>(t) work in ships' engine rooms; or</p> <p>(u) the use of circular saws for cutting concrete masonry blocks during manufacture, or work wholly or mainly in the immediate vicinity of those tools whilst they are being so used; or</p> <p>(v) burning stone in quarries by jet channelling processes, or work wholly or mainly in the immediate vicinity of such processes; or</p> <p>(w) work on gas turbines in connection with</p> <p>(i) performance testing on test bed;</p> <p>(ii) installation testing of replacement engines in aircraft;</p> <p>(iii) acceptance testing of Armed Service fixed wing combat planes; or</p> <p>(x) the use of, or work wholly or mainly in the immediate vicinity of</p> <p>(i) machines for automatic moulding, automatic blow moulding or automatic glass pressing and forming machines used in the manufacture of glass containers or hollow ware;</p> <p>(ii) spinning machines using compressed air to produce glass wool or mineral wool;</p> <p>(iii) continuous glass toughening furnaces</p>
<p>A11. Episodic blanching occurring throughout the year, affecting the middle or proximal phalanges or in the case of a thumb the proximal phalanx, of</p> <p>(a) in the case of a person with 5 fingers (including thumbs) on one hand, any 3 of those fingers, or</p> <p>(b) in the case of a person with only 4 such fingers, any 2 of those fingers, or</p> <p>(c) in the case of a person with less than 4 such fingers, any one of those fingers or, as the case may be, the one remaining finger (vibration white finger).</p>	<p>(a) The use of hand-held chain saws in forestry; or</p> <p>(b) the use of hand-held rotary tools in grinding or in the sanding or polishing of metal, or the holding of material being ground, or metal being sanded or polished, by rotary tools; or</p> <p>(c) the use of hand-held percussive metal-working tools, or the holding of metal being worked upon by percussive tools, in riveting, caulking, chipping, hammering, fettling or swaging; or</p> <p>(d) the use of hand-held powered percussive drills or hand-held powered percussive hammers in mining, quarrying, demolition, or on roads or footpaths, including road construction; or</p> <p>(e) the holding of material being worked upon by pounding machines in shoe manufacture.</p>
A12. Carpal tunnel syndrome.	The use of hand-held powered tools whose internal parts vibrate so as to transmit that vibration to the hand, but excluding those which are solely powered by hand.

B. Conditions due to biological agents	
<i>Prescribed disease or injury</i>	<i>Occupation: Any occupation involving:</i>
B1. Anthrax.	Contact with animals infected with anthrax or the handling (including the loading or unloading or transport) of animal products or residues.
B2. Glanders	Contact with equine animals or their carcasses.
B3. Infection by leptospira	(a) Work in places which are, or are liable to be, infested by rats, field mice or voles, or other small mammals; or (b) work at dog kennels or the care or handling of dogs; or (c) contact with bovine animals or their meat products or pigs or their meat products.
B4 Ankylostomiasis.	Work in or about a mine.
B5. Tuberculosis.	Contact with a source of tuberculous infection.
B6 Extrinsic allergic alveolitis (including farmer's lung).	Exposure to moulds or fungal spores or heterologous proteins by reason of employment in: (a) agriculture, horticulture, forestry, cultivation of edible fungi or malt-working; or (b) loading or unloading or handling in storage mouldy vegetable matter or edible fungi; or (c) caring for or handling birds; or (d) handling bagasse.
B7. Infection by organisms of the genus brucella.	Contact with (a) animals infected by brucella, or their carcasses or parts thereof, or their untreated products; or (b) laboratory specimens or vaccines of, or containing brucella.
B8. Viral hepatitis.	Contact with (a) human blood or human blood products; or (b) a source of viral hepatitis.
B9. Infection by Streptococcus suis.	Contact with pigs infected by Streptococcus suis, or with the carcasses, products or residues of pigs so infected.
B10. (a) Avian chlamydiosis	Contact with birds infected with chlamydia psittaci, or with the remains or untreated products of such birds.
(b) Ovine chlamydiosis	Contact with sheep infected with chlamydia psittaci, or with the remains or untreated products of such sheep.
B11. Q fever	Contact with animals, their remains or their untreated products.
B12 Orf	Contact with animals, their remains or their untreated products.
B13 Hydatidosis	Contact with dogs.

C. Conditions due to chemical agents	
<i>Prescribed disease or injury</i>	<i>Occupation: Any occupation involving:</i>
C1. Poisoning by lead, a compound of lead or a substance containing lead.	The use or handling of, and exposure to the fumes, dust or vapour of, lead or a compound of lead.
C2. Poisoning by manganese or a compound of manganese.	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.
C3. Poisoning by phosphorus or an inorganic compound of phosphorus or poisoning due to the anti-cholinesterase or pseudo anti-cholinesterase action of organic phosphorus compounds.	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.
C4. Poisoning by arsenic or a compound of arsenic.	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.
C5. Poisoning by mercury or a compound of mercury.	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.
C6. Poisoning by carbon bisulphide.	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.
C7. Poisoning by benzene or a homologue of benzene.	The use or handling of, or exposure to the fumes of, or vapour containing benzene or any of its homologues.
C8. Poisoning by 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.
C9. Poisoning by dinitrophenol or a homologue of dinitrophenol 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.
C10. Poisoning by tetrachloroethane.	The use or handling of, or exposure to the fumes of, or vapour containing, tetrachloroethane.
C11. Poisoning by diethylene dioxide (dioxan).	The use or handling of, or exposure to the fumes of, or vapour containing, diethylene dioxide (dioxan).
C12. Poisoning by methyl bromide.	The use or handling of, or exposure to the fumes of, or vapour containing, methyl bromide.
C13. Poisoning by chlorinated naphthalene.	The use or handling of, or exposure to the fumes of, or dust or vapour containing, chlorinated naphthalene.
C14. Poisoning by nickel carbonyl.	Exposure to nickel carbonyl gas.
C15. Poisoning by oxides of nitrogen.	Exposure to oxides of nitrogen.
C16. Poisoning by gonioma kamassi (African boxwood).	The manipulation of gonioma kamassi or any process in or incidental to the manufacture of articles therefrom.

<i>Prescribed disease or injury</i>	<i>Occupation: Any occupation involving:</i>
C17. Poisoning by beryllium or a compound of beryllium.	The use or handling of, or exposure to the fumes, dust or vapour of, beryllium or a compound of beryllium, or a substance containing beryllium.
C18. Poisoning by cadmium.	Exposure to cadmium dust or fumes.
C19. Poisoning by acrylamide monomer.	The use or handling of, or exposure to, acrylamide monomer.
C20. Dystrophy of the cornea (including ulceration of the corneal surface) of the eye.	(a) The use or handling of, or exposure to arsenic, tar, pitch, bitumen, mineral oil (including paraffin), soot or any compound, product or residue of any of these substances, except quinone or hydroquinone; or (b) exposure to quinone or hydroquinone during their manufacture.
C21 (a) Localised new growth of the skin, papillomatous or keratotic; (b) squamous-celled carcinoma of the skin.	The use or handling of, or exposure to, arsenic, tar, pitch, bitumen, mineral oil (including paraffin), soot or any compound, product or residue of any of these substances, except quinone or hydroquinone.
C22 (a) Carcinoma of the mucous membrane of the nose or associated air sinuses; (b) primary carcinoma of a bronchus or of a lung.	Work in a factory where nickel is produced by decomposition of a gaseous nickel compound which necessitates working in or about a building or buildings where that process or any other industrial process ancillary or incidental thereto is carried on.
C23. Primary neoplasm (including papilloma, carcinoma-in-situ and invasive carcinoma) of the epithelial lining of the urinary tract (renal pelvis, ureter, bladder and urethra).	(a) Work in a building in which any of the following substances is produced for commercial purposes: (i) alpha-naphthylamine, beta-naphthylamine or methylene-bisortho-chloroaniline; (ii) diphenyl substituted by at least one nitro or primary amino group or by at least one nitro and primary amino group (including benzidine); (iii) any of the substances mentioned in sub-paragraph (ii) 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 the sub-paragraphs (i) to (iii) above; (v) auramine or magenta; or (b) the use or handling of any of the substances mentioned in sub-paragraph (a)(i) to (v) or work in a process in which any such substance is used, handled or liberated; or

<i>Prescribed disease or injury</i>	<i>Occupation: Any occupation involving:</i>
C23 (Contd)	<p>(c) the maintenance or cleaning of any plant or machinery used in any such process as is mentioned in subparagraph (b), or the cleaning of clothing used in any such building as is mentioned in sub-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;</p> <p>(d) exposure to coal tar pitch volatiles produced in aluminium smelting involving the Soderberg process (that is to say the method of producing aluminium by electrolysis in which the anode consists of a paste of petroleum coke and mineral oil which is baked <i>in situ</i>).</p>
C24. (a) Angiosarcoma of the liver; (b) osteolysis of the terminal phalanges of the fingers; (c) non-cirrhotic portal fibrosis.	<p>(a) Work in or about machinery or apparatus used for the polymerization of vinyl chloride monomer, a process which, for the purposes of this provision, comprises all operations up to and including the drying of the slurry produced by the polymerization and the packaging of the dried product; or</p> <p>(b) work in a building or structure in which any part of that process takes place.</p>
C25. Occupational vitiligo.	The use or handling of, or exposure to, para-tertiary-butylphenol, para-tertiary-butylcatechol, para-amylphenol, hydroquinone or the monobenzyl or monobutyl ether of hydroquinone.
C26. Damage to the liver or kidneys due to exposure to Carbon Tetrachloride.	The use of or handling of, or exposure to the fumes of, or vapour containing, Carbon Tetrachloride.
C27. Damage to the liver or kidneys due to exposure to Trichloromethane (Chloroform).	The use of or handling of, or exposure to the fumes of, or vapour containing, Trichloromethane (Chloroform).
C28. Central nervous system dysfunction and associated gastrointestinal disorders due to exposure to Chloromethane (Methyl Chloride).	The use of or handling of, or exposure to the fumes of, or vapour containing, Chloromethane (Methyl Chloride).
C29. Peripheral neuropathy due to exposure to n-hexane or methyl n-butyl ketone.	The use of or handling of, or exposure to the fumes of, or vapour containing, n-hexane or methyl n-butyl ketone.
C30. Chrome dermatitis, or ulceration of the mucous membranes or the epidermis, resulting from exposure to chromic acid, chromates or bi-chromates.	The use or handling of, or exposure to, chromic acid, chromates or bi-chromates.

D. Miscellaneous Conditions	
<i>Prescribed disease or injury</i>	<i>Occupation: Any occupation involving:</i>
D1. Pneumoconiosis.	<ol style="list-style-type: none"> 1. (a) the mining. 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 (including any occupation in which any of the aforesaid operations are carried out incidentally to the mining or quarrying of other minerals 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. The breaking, crushing or grinding of flint or the working or handling of broken, crushed or ground flint or materials containing such flint, or substantial exposure to the dust arising from any such operations. 3. Sand blasting by means of compressed air with the use of quartzose sand or crushed silica rock or flint, or substantial exposure to the dust arising from sand and blasting. 4. Work in a foundry or the performance of, or substantial exposure to the dust arising from, any of the following operations:- (a) the freeing of steel castings from adherent siliceous substance; (b) the freeing of metal castings from adherent siliceous substance- (i) by blasting with an abrasive propelled by compressed air, by steam or by a wheel, or (ii) by the use of power-driven tools. 5. The manufacture of china or earthenware (including sanitary earthenware, electrical earthenware and earthenware tiles), and any occupation involving substantial exposure to the dust arising therefrom. 6. The grinding of mineral graphite, or substantial exposure to the dust arising from such grinding. 7. 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. 8. The use, or preparation for use, of a grindstone, or substantial exposure to the dust arising therefrom. 9. (a) the working or handling of asbestos or any admixture of asbestos; (b) the manufacture or repair of asbestos textiles or other articles containing or composed of asbestos; (c) the cleaning of any machinery or plant used in any foregoing operations and of any chambers, fixtures and appliances for the collection of asbestos dust; (d) substantial exposure to the dust arising from any of the foregoing operations. 10. (a) work underground in any mine in which one of the objects of the mining operations is the getting of any mineral; (b) the working or handling above ground at any coal or tin mine of any minerals extracted therefrom, or any operation incidental thereto; (c) the trimming of coal in any ship, barge, or lighter, or in any dock or harbour or at any wharf or quay; (d) the sawing, splitting or dressing of slate, or any operation incidental thereto. 11. The manufacture of carbon electrodes by an industrial undertaking for use in the electrolytic extraction of aluminium from aluminium oxide, and any occupation involving substantial exposure to the dust arising therefrom. 12. Boiler scaling or substantial exposure to the dust arising therefrom.

<i>Prescribed disease or injury</i>	<i>Occupation: Any occupation involving:</i>
D2. Byssinosis.	Work in any room where any process up to and including the weaving process is performed in a factory in which the spinning or manipulation of raw or waste cotton or of flax, or the weaving of cotton or flax, is carried on.
D3. Diffuse mesothelioma (primary neoplasm of the mesothelium of the pleura or of the pericardium or of the peritoneum).	Exposure to asbestos, asbestos dust or any admixture of asbestos at a level above that commonly found in the environment at large.
<p>D4. Allergic rhinitis which is due to exposure to any of the following agents</p> <ul style="list-style-type: none"> (a) isocyanates; (b) platinum salts; (c) fumes or dusts arising from the manufacture, transport or use of hardening agents (including epoxy resin curing agents) based on phthalic anhydride, tetra-chlorophthalic anhydride, trimellitic anhydride or triethylenetetramine; (d) fumes arising from the use of rosin as a soldering flux; (e) proteolytic enzymes; (f) animals including insects and other arthropods used for the purposes of research or education or in laboratories; (g) dusts arising from the sowing, cultivation, harvesting, drying, handling, milling, transport or storage of barley, oats, rye, wheat or maize, or the handling, milling, transport or storage of meal or flour made therefrom; (h) antibiotics; (i) cimetidine; (j) wood dust; (k) ispaghula; (l) castor bean dust; (m) ipecacuanha; (n) azodicarbonamide; (o) animals including insects and other arthropods or their larval forms, used for the purposes of pest control or fruit cultivation, or the larval forms of animals used for the purposes of research or education or in laboratories; (p) glutaraldehyde; (q) persulphate salts or henna; <p>I crustaceans or fish or products arising from these in the food processing industry;</p>	Exposure to any of the agents set out in column 1 of this paragraph.

<i>Prescribed disease or injury</i>	<i>Occupation: Any occupation involving:</i>
<p>D4. Allergic rhinitis (<i>Contd</i>)</p> <ul style="list-style-type: none"> (s) reactive dyes; (t) soya bean; (u) tea dust; (v) green coffee bean dust; (w) fumes from stainless steel welding. 	
<p>D5. Non-infective dermatitis of external origin (excluding dermatitis due to ionising particles or electro-magnetic radiations other than radiant heat).</p>	<p>Exposure to dust, liquid or vapour or any other external agent except chromic acid, chromates or bichromates, capable of irritating the skin (including friction or heat but excluding ionising particles or electro-magnetic radiations other than radiant heat).</p>
<p>D6. Carcinoma of the nasal cavity or associated air sinuses (nasal carcinoma).</p>	<ul style="list-style-type: none"> (a) Attendance for work in or about a building where wooden goods are manufactured or repaired; or (b) attendance for work in a building used for the manufacture of footwear or components of footwear made wholly or partly of leather or fibre board; or (c) attendance for work at a place used wholly or mainly for the repair of footwear made wholly or partly of leather or fibre board
<p>D7. Asthma which is due to exposure to any of the following agents:</p> <ul style="list-style-type: none"> (a) isocyanates; (b) platinum salts; (c) fumes or dusts arising from the manufacture, transport or use of hardening agents (including epoxy resin curing agents) based on phthalic anhydride, tetrachlorophthalic anhydride, trimellitic anhydride or triethylenetetramine; (d) fumes arising from the use of rosin as a soldering flux; (e) proteolytic enzymes; (f) animals including insects and other arthropods used for the purposes of research or education or in laboratories; (g) dusts arising from the sowing, cultivation, harvesting, drying, handling, milling, transport or storage of barley, oats, rye, wheat or maize, or the handling, milling, transport or storage of meal or flour made therefrom; (h) antibiotics; (i) cimetidine; (j) wood dust; (k) ispaghula; (l) castor bean dust; (m) ipecacuanha; (n) azodicarbonamide; 	<p>Exposure to any of the agents set out in column 1 of this paragraph</p>

<i>Prescribed disease or injury</i>	<i>Occupation: Any occupation involving:</i>
<p>D7. Asthma (<i>Contd</i>)</p> <p>(o) animals including insects and other arthropods or their larval forms, used for the purposes of pest control or fruit cultivation, or the larval forms of animals used for the purposes of research, education or in laboratories;</p> <p>(p) glutaraldehyde;</p> <p>(q) persulphate salts or henna;</p> <p>I crustaceans or fish or products arising from these in the food processing industry;</p> <p>(s) reactive dyes;</p> <p>(t) soya bean</p> <p>(u) tea dust;</p> <p>(v) green coffee bean dust;</p> <p>(w) fumes from stainless steel welding;</p> <p>(x) any other sensitising agent (occupational asthma).</p>	
<p>D8. Primary carcinoma of the lung where there is accompanying evidence of one or both of the following:</p> <p>(a) asbestosis;</p> <p>(b) unilateral or bilateral diffuse pleural thickening extending to a thickness of 5mm or more at any point within the area affected as measured by a plain chest radiograph (not being a computerised tomography scan or other form of imaging which –</p> <p style="padding-left: 20px;">(i) in the case of unilateral diffuse pleural thickening, covers 50% or more of the area of the chest wall of the lung affected; or</p> <p style="padding-left: 20px;">(ii) in the case of bilateral diffuse pleural thickening, covers 25% or more of the combined area of the chest wall of both lungs.</p>	<p>(a) The working or handling of asbestos or any admixture of asbestos; or</p> <p>(b) the manufacture or repair of asbestos textiles or other articles containing or composed of asbestos; or</p> <p>(c) 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; or</p> <p>(d) substantial exposure to the dust arising from any of the foregoing operations.</p>
<p>D9. Unilateral or bilateral diffuse pleural thickening extending to a thickness of 5mm or more at any point within the area affected as measured by a plain chest radiograph (not being a computerised tomography scan or other form of imaging which –</p> <p style="padding-left: 20px;">(i) in the case of unilateral diffuse pleural thickening, covers 50% or more of the area of the chest wall of the lung affected; or</p> <p style="padding-left: 20px;">(ii) in the case of bilateral diffuse pleural thickening, covers 25% or more of the combined area of the chest wall of both lungs.</p>	<p>(a) The working or handling of asbestos or any admixture of asbestos; or</p> <p>(b) the manufacture or repair of asbestos textiles or other articles containing or composed of asbestos; or</p> <p>(c) 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; or</p> <p>(d) substantial exposure to the dust arising from any of the foregoing operations.</p>

<i>Prescribed disease or injury</i>	<i>Occupation: Any occupation involving:</i>
D10. Primary carcinoma of the lung.	(a) Work underground in a tin mine; or (b) exposure to bis(chloromethyl) ether produced during the manufacture of chloromethyl methyl ether; or (c) exposure to zinc chromate calcium chromate or strontium chromate in their pure forms.
D11. Primary carcinoma of the lung where there is accompanying evidence of silicosis.	Exposure to silica dust in the course of - (a) the manufacture of glass or pottery; (b) tunnelling in or quarrying sandstone or granite; (c) mining metal ores; (d) slate quarrying or the manufacture of artefacts from slate; (e) mining clay; (f) using siliceous materials as abrasives; (g) cutting stone; (h) stonemasonry; or (i) work in a foundry.

SECOND SCHEDULE

“FIFTH SCHEDULE

Regulation 7.
Regulation 6(8)

ASSESSMENT OF THE EXTENT OF OCCUPATIONAL DEAFNESS

PART I

Average of hearing losses due to all causes at 1, 2 and 3 kHz frequencies	Degree of disablement per cent
50 – 52 dB	20
53 – 57 dB	30
58 – 62 dB	40
63 – 67 dB	50
68 – 72 dB	60
73 – 77 dB	70
78 – 82 dB	80
83 – 87 dB	90
88 dB or more	100

PART II

FORMULA FOR CALCULATING BINAURAL DISABLEMENT

$$\frac{(\text{Degree of disablement of better ear} \times 4) + \text{Degree of disablement of worse ear}}{5}$$

5

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