

Department for Work and Pensions

DECISION MAKING AND APPEALS (PART OF LEGAL GROUP)

Decision Makers Guide

Volume 11 Amendment 39 – June 2017

1. This letter provides details on Amendment 39; the changes have already been incorporated in to the Intranet and Internet versions of the DMG.
2. PDF amendment packages are also available. These can be printed with the amended pages being reproduced in full. Each page will contain the amendment number in the footer

PDF amendment packages can be found on the **Intranet** at:

<http://intranet/1/lq/acileeds/guidance/decision%20makers%20guide/index.asp>

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Note: When printing PDF packages set the print properties to Duplex/Long Edge in order to produce double sided prints.

3. Amendment 39 affects chapter 67. The changes
 - incorporate DMG memo 4/17
 - make minor and consequential changes
4. The last two amendment packages amending Volume 11 were
Amendment 38 [June 2015]
Amendment 37 [February 2015]
5. **For reference purposes Decision Makers may find it useful to retain deleted pages for a short period after the introduction of this package.**
6. If using a PDF amendment package remove the sheets as stated in the left hand column of the Remove and Insert table below and insert the new sheets as stated in the right hand column (note the record of amendments at the back of the Volume).

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Due to the nature of the employed earner's employment

67181 To satisfy the conditions for benefit a PD must be due to the nature of a person's employment¹. This question is for the DM, FtT or UT to decide.

1 SS CB Act 92, s 108(1)(a) & (b)

67182 "Due to the nature of" means due to those features of the employment which exposed the claimant to the risk of contracting the disease. The phrase does not merely mean due to the employment. Features such as long hours and strenuous conditions, not peculiar to the prescribed occupation cannot be considered¹.

1 R(I) 38/52

67183 In deciding this question the DM can take account of

1. past employed earner's employment as well as the current employed earner's employment, even if the claimant received benefit for the disease in the earlier employment, and even if the current attack of the disease is treated as having been contracted afresh for the purpose of fixing the date of onset¹
2. employment before 5.7.48 which would have been insurable, or employed earner's employment under current and previous legislation
3. employment before 6.4.75 which would have been employed earner's employment under current legislation².

1 R(I) 10/53; 2 SS CB Act 92

67184 Such past employment must have had features exposing the claimant to the risk of contracting the PD, though not necessarily the same features¹. If both employments satisfy the prescription laid down in legislation² it can be accepted that they are of the same nature.

1 R(I) 17/53; 2 SS (II) (PD) Regs, Sch 1

67185 No account can be taken of employment which would not have been insurable or employed earner's employment, for example service in HMF¹.

1 R(I) 9/53; R(I) 17/53

Presumption

67186 There were changes to resumption from 16.3.15¹. DMG 67187 et seq give guidance on presumption from that date. Appendix 6 to this Chapter gives guidance on presumption before that date and Appendix 7 to this Chapter lists the PDs where presumption should normally be automatic and those where automatic presumption is not appropriate. There is further guidance on presumption in the guidance on specific PDs.

1 Social Security (Industrial Injuries) (Prescribed Diseases) Amendment Regulations 2015, reg 1(1)

67187 Where a person has contracted PDs A3(a), A4, A5, A6, A7, A8, A11, B1(a), B3, B4(a), B9, B10, B11, B12, B14, B15, C3, C24A, D4 and D7 there is a presumption¹,

unless the contrary is proved, that the PD is due to the employed earner's employment if the person who has contracted the PD

1. was employed in a prescribed occupation² **and**
2. was so employed on, or at any time within one month immediately preceding, the date of onset of the disease³.

Note 1: There is a different presumption for PD A3(b) (see DMG 67188).

Note 2: There is a different presumption for PDs B1(b) and B4(b) (see DMG 67190).

1 SS (II) (PD) Regs, reg 4(1); 2 reg 4(1)(a) & Sch 1, Part 1; 3 reg 4(1)(b)

67188 Where a person has contracted PDs PDs A1, A2, A3(b), A10, A13, A14, B2, B6, B8B, B13, C17, C18, C22(a), C24, C31, C32, C34, D2, D3, D6, D8, D8A, D9, D10, D11, D12 and D13 there is a presumption¹, unless the contrary is proved, that the PD is due to the employed earner's employment if the person who has contracted a PD was employed in a prescribed occupation².

Note 1: There is a different presumption for PD A3(a) (see DMG 67187).

Note 2: There is no presumption for PD C22(b).

1 SS (II) (PD) Regs, reg 4(2); 2 Sch 1, Part 1

Prescribed disease B5

67189 Where a person for whom PD B5 is prescribed develops the disease it is presumed, unless the contrary is proved, to be due to the nature of their employed earner's employment if

1. occupation (a) applies **and**
2. the date on which they are treated as having developed the disease is
 - 2.1 not less than six weeks after the date on which they were first employed in a prescribed occupation (being employed earner's employment) **and**
 - 2.2 not more than two years after the date on which they were last so employed in employed earner's employment¹.

Note 1: See DMG 67542 et seq for guidance on PD B5

Note 2: There is no presumption for PD B5 occupation (b).

1 SS (II) (PD) Regs, reg 4(3)

Prescribed diseases B1(b), B4(b), B7 and B8A

67190 There is a presumption that PDs B1(b), B4(b), B7 and B8A will, unless the contrary is proved, be due to employed earner's employment¹. It will apply where a person who has contracted the PD

1. was employed in a prescribed occupation² **and**
2. was so employed on, or at any time within

2.1 for B1(b) and B8A, 2 months **or**

2.2 for B7, 6 months **or**

2.3 for B4(b), 12 months

immediately preceding, the date of onset of the disease³.

Note 1: See DMG 67536 for guidance on PD B1, DMG 67540 for guidance on PD B4, DMG 67563 for guidance on PD B7 and DMG 67567 for guidance on PD B8A..

Note 2: There is a different presumption for PDs B1(a) and B4(a) (see DMG 67187).

1 SS (II) (PD) Regs, reg 4(4); 2 reg 4(4)(a) & Sch 1, Part 1; 3 reg 4(4)(b)

Prescribed disease A12

67191 There is a presumption that PD A12 occupation (b) will, unless the contrary is proved, be due to employed earner's employment¹. It will apply where a person who has contracted the PD

1. was employed in a prescribed occupation² **and**
2. was so employed on, or at any time within one month immediately preceding, the date of onset of the disease³.

Note 1: See DMG 67501 et seq for guidance on PD A12.

Note 2: There is no presumption for PD A12 occupation (a).

1 SS (II) (PD) Regs, reg 4(5); 2 Sch 1, Part 1; 3 reg 4(5)

Prescribed disease C23

67192 There is a presumption that PD C23 occupations (a), (b) and (e) will, unless the contrary is proved, be due to employed earner's employment¹. It will apply where a person who has contracted the PD was employed in a prescribed occupation².

Note 1: See DMG 67706 et seq for guidance on PD C23

Note 2: There is no presumption for PD C23 occupations (c) and (d).

1 SS (II) (PD) Regs, reg 4(6); 2 Sch 1, Part 1

Prescribed disease D1

67193 Unless the contrary is proved, PD D1 is presumed to be due to the nature of employed earner's employment¹ if

1. the disease is prescribed in relation to a person in a scheduled occupation²
and
2. the person has been employed in one or other of those occupations for an aggregate of at least two years **and**
3. such employment either
 - 3.1 was employed earner's employment **or**

- 3.2** would have been employed earner's employment if it had taken place on or after 5.7.48.

1 SS (II) (PD) Regs, reg 4(7); 2 reg 2(b)(i), Sch 1 Part II;

Prescribed diseases for which there is no presumption

- 67194 There is no presumption for PDs not included in DMG 67187 – 67193.

When presumption continues to apply

- 67195 A presumption in the claimant's favour continues to apply unless the DM is able to rebut it, that is, to show that the disease was not due to the nature of the employment. To do this the DM must have proof sufficient to establish the point on the balance of probabilities. That is, the DM must be satisfied that, taking into account all the relevant evidence, it is more probable that the disease was not due to the nature of the employed earner's employment than that it was¹.

1 R(I) 38/52

When presumption does not apply

- 67196 If the presumption does not apply, the onus is on the claimant to establish on a balance of probabilities, that the disease was due to the nature of the employed earner's employment.

Note: See appendix 7 to the Chapter for a list of diseases where presumption should normally be automatic and those where automatic presumption is not appropriate.

67197 - 67200

Employment outside Great Britain

- 67201 Benefit is not payable for a PD which is due to the nature of employment in an occupation in which the employed earner has been engaged only outside GB¹. This provision does not apply to
1. mariners and aircrew² (see DMG Chapter 07)
 2. people in employment in any designated area of the continental shelf³ (see DMG Chapter 07)
 3. people in a prescribed area⁴ (see DMG Chapter 07)
 4. people who pay certain Class 1 contributions⁵ or Class 2 contributions as volunteer development workers (see DMG Chapter 07).

1 SS II (PD) Regs, reg 14; 2 SS CB Act 92, s 27; 3 s 120; SS Ben (PA) Regs, reg 10c; 4 reg 10c; SS CB Act 92, s 120; 5 SS (Cont) Regs 01, reg 14

Notes on individual diseases - general

67301 DMG 67302 et seq and Appendix 1 to this Chapter give guidance about differences in law relating to particular diseases, Commissioner's and UT Decisions, and other points of guidance and interest.

67302 Appendix 1 to this Chapter lists all changes in the terms of prescription, in the description and in the numbering of PDs (with effective dates) since 5.7.48.

67303 The two categories into which the PDs fall for procedural purposes in connection with diagnosis are set out in DMG 67104.

67304 The only PDs which may involve tumours or growths are

1. A1
2. C4
3. C7
4. C21
5. C22(a)
6. C22(b)
7. C23
8. C24(a)
9. C32
10. D3
11. D6
12. D8
13. D8A
14. D10 **and**
15. D11.

A new growth (whether called papilloma, tumour, neoplasm, carcinoma or cancer) should not be regarded as any other of the C diseases.

67305 DMG 67186 et seq gives guidance on presumption¹. Further details are in the guidance on the particular disease.

1 SS (II) (PD) Regs, reg 4

67306 - 67308

Prescribed diseases A1, A2, A3, A4 and A7

Prescribed disease A1 before 30.3.17

67309 From 10.7.00 the prescription has been restricted to leukaemia or cancer of specified parts of the body where the electro-magnetic radiation is “sufficient to double the risk of the occurrence of the condition”. This phrase has not been defined in legislation therefore prescription should continue to be accepted based on the person's occupation.

Transitional provisions

67310 The DM should note that the revised prescription will not apply where

1. there is a continuous assessment for disablement for a period up to 10.10.00
or
2. a decision was made up to and including 10.10.00 and that decision is revised or superseded after 10.10.00 provided there is a continuous assessment.

For the purposes of 1. and 2. two or more assessments, one of which begins on the day following the end of a preceding assessment, shall be treated as continuous.

Prescribed disease A1 from 30.3.17

67311 From 30.3.17 the prescription changed to leukaemia (other than chronic lymphocytic leukaemia) or primary cancer of the bone, bladder, breast, colon, liver, lung, ovary, stomach, testis or thyroid where the dose of ionising radiation is sufficient to double the risk of the occurrence of the condition¹.

Note 1: Where appropriate, the cancers, including of the breast, apply to both men and women.

Note 2: See DMG 67309 for guidance on the phrase “Sufficient to double the risk of the occurrence of the condition”.

1 SS (II) (PD) Regs, Sch 1, Part 1

Reduced earnings allowance

67312 The changes to PD A1 from 30.3.17 are an extension to the list of prescribed diseases or occupations. Therefore, there is no entitlement to REA in respect of those changes as the extensions were after 10.10.94¹.

1 SS (II) (PD) Regs, reg 14A

Prescribed disease A2

67313 From 7.7.58, the description of the disease was amended to “heat cataract” and the occupational cover was extended to “frequent or prolonged exposure to rays from

molten or red-hot **material**". Until 7.7.58, only frequent or prolonged exposure to the glare of, or rays from, molten glass or molten or red-hot metal was covered.

- 67314 The description of the disease was further amended from 10.7.00 to "cataract" and the occupational cover was changed to include exposure to "radiation from red-hot or white-hot material".
- 67315 From 10.7.00, unless transitional provisions apply (see DMG 67310), prescription can only be satisfied where a person worked in employed earner's employment for a period or periods amounting in the aggregate to five years.
- 67316 A man who had been employed as a fireman at a colliery for about three months was held to have been employed in a prescribed occupation. His duties included levelling, stoking and poking two furnaces and, as he was a slow worker, his rake and poker soon became red-hot. He was also responsible for cleaning out the furnaces two or three times a shift, during which operation his rake and poker again became red-hot. Thus he was exposed while working to the glare of, or rays from, red-hot metal at intervals of about a quarter of an hour¹.

1 CI 388/50(KL)

Prescribed disease A3

- 67317 Before 16.3.15 PD A3 was dysbarism, including decompression sickness, barotrauma and osteonecrosis. From 16.3.15¹ it was divided into PD A3(a) and PD A3(b)². This was to allow for different presumption rules to apply³ (see DMG 67187 – 67188). PD A3(a) is dysbarism, including decompression sickness and barotrauma. PD A3(b) is osteonecrosis.

Note 1: The scheduled occupations are the same for PD A3(a) and PD A3(b)⁴.

Note 2: See Appendix 7 to this Chapter for further guidance on presumption.

*1 Social Security (Industrial Injuries) (Prescribed Diseases) Amendment Regulations 2015, reg 1(1),
2 SS (II) (PD) Regs, Sch 1, Part 1; 3 reg 4(1) & (2); 4 Sch 1, Part 1*

Reduced earnings allowance

- 67318 Entitlement to REA may still arise in respect of the change to PD A3 where a date of onset is before 1.10.90¹ because the change is

1. a redefinition of the disease **and**
2. **not** an extension of the disease.

1 SS CB Act 92, Sch 7, para 11(1)

Prescribed disease A4

- 67319 PD A4 was introduced with effect from 7.7.58 as PD 28, cramp of the hand or forearm due to repetitive movements. The 1958 prescription incorporated three existing diseases, telegraphist's cramp (No. 28), writer's cramp (No. 29) and

twister's cramp (No. 30) by extending the cover to prolonged periods of handwriting, typing or other repetitive movements of the fingers, hand or arm.

67320 Where a person suffered from an attack of one of the diseases numbered 28, 29 or 30 in the pre-7.7.58 schedule and subsequently suffers an attack of PD A4 in the new schedule, that person is treated as having suffered another attack of the same disease and a recrudescence question may thus arise.

67321 With effect from 6.4.07¹ PD A4 was re-defined as task-specific focal dystonia. This brought it in line with current medical terms. This change does **not** extend PD A4 to other forms of dystonia other than those affecting the hand or forearm for example cervical dystonia. With effect from 30.3.12² the words "of the hand or forearm" were added to the definition to clarify it.

*1 Social Security (Industrial Injuries) (Prescribed Diseases) Amendment Regulations 2007, reg 1;
2 Social Security (Industrial Injuries) (Prescribed Diseases) Amendment Regulations 2012, reg 1;*

Effect on REA

67322 As neither

1. the change in prescription for PD A4 with effect from 6.4.07 **and**
2. the redefinition of the disease with effect from 30.3.12

was not an extension, entitlement to REA can still be established (see DMG Chapter 71).

Prescribed disease A7

67323 The DM should note that

1. manual labour, in the description of the prescribed occupation, merely means physical or bodily work and it does not necessarily mean some laborious activity calling for much physical effort or muscular strength
2. an occupation which is mainly sedentary or clerical or non-manual may nevertheless incidentally involve some manual labour
3. whether the friction or pressure is severe or prolonged is a question of fact (see DMG 67324).

67324 Examples for the purpose DMG 67323 **3.** are a traffic controller's duties operating a telephone switchboard were held to involve severe or prolonged friction or pressure¹ but a clerk's duties as a telephone operator were held not to involve severe or prolonged pressure².

1 R(I) 60/51; 2 R(I) 78/54

67325 From 7.7.58 the legislation was amended to reflect what a Commissioner had previously determined, that is, that the friction must arise from an external source¹. The external source can, however, be another part of the body.

1 R(I) 78/54

67326 The condition of beat elbow should be distinguished from that of tennis elbow which is a separate condition capable of exact diagnosis **and** is not a PD.

67327 However, with effect from 6.4.07, PD A7 was re-defined by removing the reference to beat elbow. That was because that term is no longer used in modern clinical practice.

Effect on REA

67328 As the change in prescription for PD A7 with effect from 6.4.07 was not an extension, entitlement to REA can still be established (see DMG Chapter 71).

67329- 67330

Prescribed diseases B6, B7, B8A, B8B and B9

Prescribed disease B6

67557 Extrinsic allergic alveolitis is an inflammatory disease caused by reaction to inhaled organic dust. Other forms of the disease can also be occupationally related. Occupational cover was expanded¹ to include employment in the cultivation of edible fungi or maltworking or the handling of such matters and in caring for or handling birds. The disease is often known according to the circumstances in which it occurs, for example farmer's lung, mushroom worker's lung, bird fancier's lung, malt worker's lung.

1 SS (II) (PD) Amdt (No. 2) Regs, 83

67558 Although the prescribed occupations are mainly carried out in agricultural and ancillary industries, the occupations covered by (b) and (c) of the terms of prescription may be carried out in any industry. For example the loading of straw used for making archery targets or the storage of hay for feeding horses used on delivery rounds would be within prescribed occupation (b). In every case, however, it must be shown that the occupation involves exposure to organic dusts.

67559 With effect from 6.4.07¹ the prescribed occupations were extended to include people whose work involves exposure to metalworking fluid mists (see DMG 67562 for the effect on REA).

1 SS II (PD) Amdt Regs, 07, reg 2(8)

67560 From 30.3.17 the prescribed occupations were extended to include employment in any other workplace. Exposure to any other biological substance that causes extrinsic allergic alveolitis in any of the prescribed occupations was also added (see DMG 67562 for the effect on REA).

Prescription test not satisfied

67561 If the claim does not succeed under the PD provisions because the disease is not prescribed for the employed earner, the DM should consider whether it can succeed under the accident provisions. If, a claim has been made solely on the grounds of IA and the disease is not prescribed for the employed earner, such cases should be referred initially to a medical adviser who will arrange for a report to be obtained by consultants.

Note: From 30.3.17, if PD B6 is not satisfied, DMs should consider PD C34 (see DMG 67763 et seq).

Effect on REA

67562 There is no entitlement to REA for PD B6 for people whose work involves exposure to metalworking fluid mists because the disease was extended after 10.10.94¹.

Similarly, the changes to PD B6 from 30.3.17 are an extension to the list of prescribed diseases or occupations. Therefore, there is no entitlement to REA in respect of those changes as the extension was after 10.10.94. Cases of doubt should be referred to DMA Leeds for advice.

1 SS CB Act 92, Sch 7, para 11(1)

Prescribed disease B7

67563 This disease (brucellosis) covers infection by all strains of brucella arising from contact with

1. infected animals of any species
2. their products including meat, milk, cheese and the products of gestation, such as an aborted foetus **or**
3. laboratory specimens or vaccines.

Before 3.10.83 cover was restricted to contact etc with bovine animals.

Note: See DMG 67190 and Appendix 7 to this Chapter for guidance on presumption for PD B7.

67564 Diagnosis of the disease is difficult and is dependent upon a combination of clinical signs and symptoms and laboratory tests. There are no signs or symptoms which are specific to brucellosis, and thus the disease may often not be diagnosed until the claimant has been incapable of work for some weeks (or has returned to work) and until laboratory tests have been carried out. Claims for the disease may, therefore, be late.

67565

Prescribed diseases B8A and B8B

67566 The prescription has been extended to two separate prescriptions to reflect the different types of viral hepatitis, the routes of transmission and various workers at risk.

67567 Hepatitis is a general term used to describe inflammation of the liver. Hepatitis can be caused by infection, toxins (e.g. alcohol), drugs and a variety of other miscellaneous conditions. The sources of occupational risks are

1. B8A - infection by hepatitis A virus, contact with raw sewage
2. B8B - infection by hepatitis B or C, contact with
 - 2.1 human blood or human blood products; **or**
 - 2.2 any other source of hepatitis B or C.

Where contact with human blood, blood products, raw sewage or another source of hepatitis B or C is not evident from the facts of the case, the DM should consider

seeking a medical opinion about the likelihood of hepatitis being related to the claimant's employment.

67568 In any case where the prescription test is not satisfied, the DM should consider alternative entitlement under the accident provisions.

67569 - 67570

Prescribed disease B9

67571 This is a disease of pigs, which can be transmitted to man in the form of meningitis or septicaemia or both. It is not known in other animals. Thus it is prescribed only in relation to occupations involving contact with pigs infected by streptococcus suis, or with the carcasses, products or residues of pigs so infected.

67572 - 67580

67707 It should be noted that “durindone magenta” is **not** magenta within the meaning of the legislation¹. 4-aminobiphenyl is also called biphenyl-4-ylamine and is sometimes referred to as 4-aminodiphenyl. Methylene-bis-orthochloroaniline (MbOCA) is also called 2, 2'-dichloro-4, 4'-methylenedianiline. Orthotoluidine is synonymous with ortho-toluidine and o-toluidine. 4-chloro-2-methylaniline is synonymous with 4-chloro-o-toluidine.

1 R(1) 16/59

Relevant occupations

67708 Occupational categories (a) and (b) are restricted to the manufacture of the listed chemicals whereas for categories (c), (d) and (e) exposure to the chemical is sufficient to satisfy prescription.

67709 The prescribed substances may have been used in the manufacture of dyestuffs and in the rubber and cable making industries. Inks and dyes used in the printing industry may contain benzidine and other chemicals prescribed in relation to PD C23. They may also have been contaminated by 4-aminobiphenyl but it will not usually be possible to confirm such contamination.

67710 There is no minimum percentage of the substance that needs to be present before prescription can be allowed. In some industries, for example the dyestuffs, rubber and cable-making industries, the amounts involved may be almost undetectable. In the rubber industry, harmful substances that were discontinued many years ago may still be present when the rubber is re-processed. Where there is a likelihood of contamination prescription should normally be accepted on the balance of probability. In case of doubt, the DM should refer to DMA Leeds, for advice.

67711 The Soderberg process is a method of producing aluminium by electrolysis where the anode consists of a paste of petroleum coke and mineral oil, which is baked in-situ. Exposure to coal tar pitch volatiles produced in this process for five years or more will satisfy prescription for C23. It is understood that the Soderberg process is only used in one Alcan factory in Scotland. If it is thought that other factories may be using this process, the DM should refer the case to DMA Leeds, for advice.

Effects and causation

67712 There are no special features of urinary tumours caused by the prescribed exposures, which enable them to be distinguished from those that are not so caused. In the case of occupations (a), (b) and (e), occupational causation can reasonably be assumed without further inquiry where the stated occupational criteria are satisfied. This applies even when the disease developed more than a month after the claimant was engaged in the prescribed employment. In the case of occupations (c) and (d) the DM should find out as much as possible about the extent of exposure before referring to medical services for advice. Causation should be decided on the balance of probability in the light of medical advice.

Presumption

67713 There are special rules for presumption for C23 occupations (a), (b) and (e) see DMG 67192). There is no presumption for PD C23 occupations (c) and (d).

Note: See Appendix 7 to this Chapter for further guidance on presumption.

Prescribed diseases C24 and C24A

Background

67714 Vinyl chloride monomer is a gas at room temperature and is the raw material for producing the widely used plastic, polyvinyl chloride. It can cause three diseases when inhaled: angiosarcoma of the liver, acro-osteolysis and liver fibrosis. Acro-osteolysis consisted of three medical conditions. If a claimant had evidence of any one of those three conditions C24 could be diagnosed.

67715 However, from 6.4.06 the three medical conditions of acro-osteolysis are prescribed independently. Osteolysis of the terminal phalanges of the fingers and sclerodermatous thickening of the skin of the hand are included in C24 together with angiosarcoma of the liver and liver fibrosis. The term acro-osteolysis is no longer used.

67716 Also from 6.4.06, Reynaud's Phenomenon, which used to be one of the three medical conditions covered by acro-osteolysis, became separate disease C24A.

Relevant occupations

67717 The prescribed occupation is work involving exposure to vinyl chloride monomer in the manufacture of polyvinyl chloride. However, for the purposes of C24A a claimant must have been in the prescribed occupation before 1.1.84. Exposure to vinyl chloride monomer other than in the manufacture of polyvinyl chloride and exposure to polyvinyl chloride itself does not satisfy prescription. After the early 1980s the process was enclosed and exposure to vinyl chloride monomer no longer occurs.

67718 Polyvinyl chloride is formed by the polymerization of liquid vinyl chloride monomer under pressure in reactor vessels. Workers involved in the manufacture of polyvinyl chloride may have been exposed to vinyl chloride monomer gas emitted during the manufacturing process. The workers most heavily exposed to vinyl chloride monomer have been engaged in cleaning the reactor vessels between production runs, at one time being lowered into the vessels, which they cleaned manually. However, the polymerization process is now completely enclosed and cleaning the reactors manually no longer occurs.

67719 The process for producing vinyl chloride monomer itself is completely enclosed and therefore does not involve exposure. The production of vinyl chloride monomer does not satisfy prescription for C24 and C24A.

Prescribed disease C31

67751 PD C31 is defined as “Bronchiolitis obliterans”. To satisfy the prescription test claimants must have worked in any occupation involving the use or handling of, or exposure to, diacetyl (also called butanedione or 2.3-butanedione) in the manufacture of

1. diacetyl **or**
2. food flavouring containing diacetyl **or**
3. food to which food flavouring containing diacetyl is added¹.

1 SS (II) (PD) Regs, Sch 1, Part 1

67752 Bronchiolitis obliterans is a rare and sometimes severe respiratory disease where inflammation and fibrosis lead to airflow limitation in the small airways of the lung. It is characterised by fixed airways obstruction, whereby bronchioles in the lung become blocked or narrowed by fibrous tissue associated with wound healing. Bronchioles are small airways which extend from the larger conducting airways of the bronchi to the alveoli (the gas exchanging parts of the lung). People with bronchiolitis obliterans have reduced lung function and typically have

1. dry cough **and**
2. undue shortness of breath upon exertion **and**
3. occasionally, wheezing.

67753 Diacetyl is a food flavouring agent with a buttery flavour. It is used in the manufacture of popcorn and potato crisps and other products, for example, margarine where a buttery flavour is required. Cases of doubt should be sent to DMA Leeds for advice.

Reduced earnings allowance

67754 There is no entitlement to REA for PD C31 because it is a new disease prescribed after 10.10.94¹.

1 SS II (PD) Regs, reg 14A

Prescribed disease C32

67755 PD C32 is defined as “Carcinoma of the nasal cavity or associated air sinuses (nasal carcinoma)”. To satisfy the prescription test claimants must have worked in any occupation involving

1. the manufacture of inorganic chromates **or**
2. work in hexavalent chrome plating¹.

Note: PD D6 is the same disease related to a different occupational exposure (wood dust). The two PDs should not be confused

1 SS (II) (PD) Regs, Sch 1 Part 1

67756 A carcinoma is a type of cancer developing from cells found in the surface layer of an organ in the body. For the purpose of PD C32 the most common type is squamous cell carcinoma. Squamous cells are the flat, skin like cells that cover the lining of the nose.

67757 Chromium is a silver white metal derived from the mineral chromite. Following processing, chromium exists in several forms, also known as oxidation states. The principal forms are

1. metallic chromium (chromium 0) **and**
2. trivalent chromium (chromium III) **and**
3. hexavalent chromium (chromium VI).

Note: It is important for DMs to distinguish the different forms of chromium because only hexavalent chromium is within the prescription of PD C32.

67758 A major use of hexavalent chromium is in chrome plating. This is a technique of electroplating a thin layer of chromium on to a metal object, particularly applied in the car and aircraft industries.

Reduced earnings allowance

67759 There is no entitlement to REA for PD C32 because it is a new disease prescribed after 10.10.94¹.

1 SS II (PD) Regs, reg 14A

Prescribed disease C33

67760 PD C33 is defined as "Chloracne". To satisfy the prescription test claimants must have worked in any occupation involving exposure to a substance causing chloracne. It was added to the list of PDs on 16.3.15¹.

1 Social Security (Industrial Injuries) (Prescribed Diseases) Amendment Regulations 2015, reg 1(1)

67761 Chloracne is a systemic disease. It is caused by systemic exposure to certain halogenated aromatic hydrocarbons called "chloracnegens". Cases of chloracne result from occupational and environmental exposures. Chloracne was once common among workers occupationally exposed to naphthalene and chlorinated biphenyls, including workers from the chemical industry exposed to pesticides. Since the 1960s synthetic resins have replaced these compounds and the incidence of chloracne has fallen dramatically. However, some workers are still being exposed occupationally to relevant chemicals and are at risk of developing chloracne.

Reduced earnings allowance

67762 There is no entitlement to REA for PD C33 because it is a new disease prescribed after 10.10.94¹.

1 SS II (PD) Regs, reg 14A

Prescribed disease C34

67763 PD C34 is defined as “Extrinsic allergic alveolitis”. To satisfy the prescription test claimants must have worked in any occupation involving exposure to airborne isocyanates; or to any other substance that causes extrinsic allergic alveolitis. It was added to the list of PDs on 30.3.17¹.

1 Social Security (Industrial Injuries) (Prescribed Diseases) Amendment Regulations 2017, reg 1(1)

67764 Extrinsic allergic alveolitis is an inflammatory disease caused by reaction to inhaled organic dust. The Industrial Injuries Advisory Council concluded that high levels of exposure to chemicals, called isocyanates, or any other chemical substance, could cause extrinsic allergic alveolitis. This new PD recognises the chemical causes of extrinsic allergic alveolitis.

Note 1: The biological causes of extrinsic allergic alveolitis should be considered in accordance with PD B6 (see DMG 67557 et seq).

Note 2: See DMG 67188 for guidance on presumption.

Reduced earnings allowance

67765 There is no entitlement to REA for PD C34 because it is a new disease prescribed after 10.10.94¹.

1 SS II (PD) Regs, reg 14A

Transitional provisions

67766 The schedule of C diseases changed from 17.3.03 when some diseases were removed from the schedule and some prescriptions were changed. No one already getting benefit for a PD, which has been changed or removed, will lose benefit directly as a result of that change¹.

1 Social Security (Industrial Injuries) (Prescribed Diseases) Amendment Regs 2003, reg 6

67767 Old legislation applies to

1. assessments already in place at 17.3.03
2. claims made before 17.3.03 where disablement has not yet been assessed
3. claims made no later than 17.6.03 in respect of a period commencing before 17.3.03
4. renewal assessments following a provisional assessment under the old rules where there is no break
5. further assessments following a final assessment under the old rules where there is no break
6. assessments spanning 17.3.03, which are superseded after 17.3.03 where there is still an assessment of disablement

7. recrudescence of a disease where the assessment for the earlier attack began before 17.3.03.

67768 New legislation applies to any claim made on or after 17.3.03 when the provisions of DMG 67767 do not apply.

Effect on REA entitlement

67769 There is no entitlement to REA where the date of onset is after 30.9.90. Where the date of onset is before 1.10.90 it will be necessary to consider whether the changes to the schedule from 17.3.03 constitute new diseases, an extension of prescription or just a redefinition of the same diseases¹. Cases of difficulty should be referred to DMA Leeds, for advice.

1 SS CB Act 92, Sch 7, para 11(1)

67770 For PD C30 there is no entitlement to REA because the disease was added to the schedule after 10.10.94¹.

1 SS (II) (PD) Regs, reg 14A

67771 - 67790

Prescribed diseases D8, D8A and D9

67943 PDs D8, D8A and D9 may not develop until many years after exposure to asbestos. Where corroboration is not possible because, for example, the employer has gone out of business or destroyed records or ex-workmates have died, the DM should arrange for immediate enquiries to be made of the claimant to find out

1. precisely what their work involved **and**
2. how it caused exposure to asbestos.

67944 The claimant's employer may deny having used asbestos themselves. This may arise, for example, in the construction industry where many persons apart from those working with the asbestos may have been exposed to its dust. In such cases the DM should establish

1. as much as possible about the claimant's work **and**
2. the environment in which it was done, for example, were other firms involved, for whom was the work done, what did other people in the vicinity do.

67945 The DM should carefully weigh all the evidence including clinical findings and the claimant's testimony. It may be possible for the claim to succeed on the claimant's testimony alone.

67946 Circumstances which by themselves do not amount to "proof" can still establish a case taken together. For example a claimant who is diagnosed as suffering from PD D8, D8A or D9 does not prove that the person has been exposed to asbestos since these diseases may be caused by other means.

67947 To satisfy the prescription test for PD D8 or D9 the occupation must have been employed earner's employment¹. However, to satisfy the prescription test for PD D8A a claimant must have worked in a prescribed employment for a period of, or periods which amount in aggregate to

1. five years or more where all or any of the exposure occurred before 1.1.75 **or**
2. ten years or more where the exposure occurs on or after 1.1.75.

Note: From 30.3.17 the words "with obliteration of the costophrenic angle" were removed from the definition of PD D9². This was to reflect the use of computerised tomography for diagnosing this disease.

1 SS (II) (PD) Regs, reg 2(a) & (b); 2 SS (II) (PD) Regs, Sch 1, Part 1

67948 Because prescription enquiries may take a long time, action on prescription and diagnosis should take place simultaneously. If the diagnosis question is decided first, the DM should not overlook the prescription question.

67949 Asbestosis is defined as fibrosis of the parenchyma of the lungs due to the inhalation of asbestos dust¹.

1 SS (II) (PD) Regs, reg 1(2)

Date of onset and recrudescence

67950 The date of onset of either disease for IIDB claims¹ is the day on which the claimant first suffered a loss of faculty from the disease. Benefit cannot, however, be paid for either disease for any day before 1.4.85².

1 SS (II) (PD) Regs, reg 6(2)(b); 2 reg 43(1) & Sch 4

67951 The recrudescence rules do not apply to PD D8, D8A and D9 because a person cannot recover from either disease and then suffer a fresh contraction¹.

1 SS (II) (PD) Regs, reg 7(1)

Qualifying period

67952 From 6.4.06 the qualifying period for PD D8 and D8A does not apply. The DM should regard the disablement as 100%¹.

1 SS (II) (PD) Regs, reg 20B(2) & (3)

Transitional provisions

67953 People who made a claim for PD D9 before 6.4.06 have transitional protection¹. This means that where a provisional assessment expires after 6.4.06 the prescription test in force on the date of the original claim will continue to be appropriate.

1 SS II (PD) Amdt Regs 06, reg 4

Effect on REA entitlement

67954 Where the claim is made under the new extended test (see DMG 67912). However, entitlement to REA may still arise in respect of the change to PD D9 (see DMG 67947) where a date of onset is before 1.10.90¹ because the change is

1. a redefinition of the disease **and**
2. not an extension of the disease.

1 SS CB Act 92, Sch 7, para 11(1)

Prescribed disease D10

Prescription

67955 This disease was added to the list of PDs from 1.4.87¹. A new prescription test was added from 1.8.12² (see DMG 67960 - 67964).

*1 Social Security (Industrial Injuries) (Prescribed Diseases) Amendment Regulations 1987;
2 Social Security (Industrial Injuries) (Prescribed Diseases) Amendment (No. 2) Regulations 2012*

67956 Only

1. tin miners working underground **and**
2. from 1.8.12, coke oven workers

qualify since they have a greater risk of contracting the disease as a result of their work.

67957 The only plants to have produced chloromethyl methyl ether (CMME) are Puro-lite International Ltd at Cowbridge Road, Pontyclun, Mid Glamorgan and Rohm and Haas (UK) Ltd who, until the early 1980s, operated on Tyneside. Any communication to Rohm and Haas should be sent to Lennig House, 2 Mason's Avenue, Croydon, Surrey.

67958 Prescription in relation to

1. zinc chromate
2. calcium chromate **or**
3. strontium chromate

is restricted to exposure to the substances in their pure form, for example the dust of the chromates. Workers who use or work on products containing these chromates do not satisfy the terms of prescription.

67959 Lung cancer resulting from exposure to arsenic comes within the scope of PD C4 and the DM should thus not consider claims made on that basis under PD D10.

Coke oven workers

67960 A new prescription test was added from 1.8.12. To satisfy this new prescription test, claimants must have worked in any occupation involving employment wholly or mainly as a coke oven worker

1. for a period of, or periods which amount in aggregate to, 15 years or more **or**
2. in top oven work, for a period of, or periods which amount in aggregate to, 5 years or more **or**
3. in a combination of
 - 3.1 top oven work **and**
 - 3.2 other coke oven work

for a total aggregate period of 15 years or more, where one year working in top oven work is treated as equivalent to 3 years in other coke oven work¹.

1 SS (II) (PD) Regs, Sch 1, Part 1

Example

Philip makes a claim for PD D10. He worked in top oven work for 3 years and other coke oven work for 6 years. The DM determines that Philip satisfies the prescription test.

67961 There is no entitlement to IIDB under this change before 1.8.12.

Wholly or mainly

67962 The words wholly or mainly require claimants to have spent more than 50% of their working time in the prescribed occupation. In calculating this time, DMs should take account of variations in the pattern of work and it may require averaging over an appropriate period.

Coke ovens

67963 A coke oven has many different components. Also, there are many job titles associated with work on the various parts of the coke oven that can differ on a regional basis. It is important that DMs identify what is

1. top oven work **and**
2. other coke oven work.

67964 Some job titles which relate to top oven work are

1. lidsman
2. car man (chargerman)
3. valveman or tarman **and**
4. top oven maintenance worker.

This list is not exhaustive. Therefore, it is important for DMs to ascertain the nature, and frequency of, the duties the individual claimant has carried out. Also, in Appendix 5 to this Chapter there is a diagram of a typical coke oven with labelled parts and examples of job titles used for work on those parts of the oven. Cases of doubt should be sent to DMA Leeds for advice.

Diagnosis

67965 PD D10 is a respiratory disease to be determined as in DMG 67113 et seq.

Recrudescence

67966 The recrudescence provisions do not apply to PD D10.

Reduced earnings allowance

67967 There is no entitlement to REA where entitlement arises to PD D10 under the change from 1.8.12. This is because the change is an extension of PD D10 after 10.10.94¹.

1 SS (II) (PD) Regs, reg 14A

Qualifying period

67968 From 16.3.15¹ the qualifying period for PD D10 does not apply. The DM should regard the disablement as 100%².

1 Social Security (Industrial Injuries) (Prescribed Diseases) Amendment Regulations 2015, reg 1(1); 2. SS (II) (PD) Regs, reg 20B(2) & (3)

Prescribed disease D12

Prescription

67974 This disease was added to the list of PDs¹ from 13.9.93². From 16.3.15³ it is known as chronic obstructive pulmonary disease⁴ which is sometimes referred to as COPD.

1 SS (II) (PD) Regs, Sch 1, Part 1; 2 II (PD) Amdt (No 2) Regs 93; 3 Social Security (Industrial Injuries) (Prescribed Diseases) Amendment Regulations 2015, reg 1(1); 4 SS (II) (PD) Regs, Sch 1, Part 1

67975 Before 21.7.08 the disease is prescribed for people who have been

1. in employed earner's employment on or after 5.7.48 **and**
2. exposed to coal dust by working underground in a coal mine for a period of (or periods totalling) at least 20 years.

Periods of such work before 5.7.48 can count towards the 20 years total. Also, from 9.4.97¹ periods of incapacity whilst engaged in such employment can also be included. Claims from claimants who do not satisfy this test are referred to the DM for disallowance on prescription.

1 Social Security (Industrial Injuries) (Miscellaneous Amendments) Regulations 1997

67976 The prescription test was amended from 10.7.00 but transitional provisions apply. For further guidance see DMG 67310.

67977 From 21.7.08¹, in addition to the people in DMG 67975, the disease is prescribed for people who have been exposed to coal dust during screen work at the surface of a mine where

1. the period of exposure is at least 40 years in aggregate **and**
2. all the exposure took place before 1.1.83².

1 SS (II) (PD) Regs, Sch 1, Part 1; 2 Sch 1, Part 1

67978 For the purposes of DMG 67977 time spent as a surface screen worker can be aggregated with underground work. Where this applies

1. 2 years as a surface screen worker is the equivalent of 1 year underground **and**
2. the period of work must be at least the equivalent of 20 years as an underground worker¹.

Note: For this to apply all the aggregated exposure as a surface screen worker has to be before 1.1.83.

1 SS (II) (PD) Regs, Sch 1, Part 1

Definitions

67979 For the definition of

1. underground¹ see DMG 67396 and 67847

2. coal mine² see DMG 67846 and 67848.

Note: With the exception of periods of incapacity, continuous gaps in actual work over three months should normally be excluded when calculating the 20 year total³.

*1 R(I) 37/59; R(I) 4/84; 2 SS (II) (PD) Regs, reg 1(2); CI 274/49;
CWI 4/50; R(I) 70/54; R(I) 52/56; R(I) 37/59; 3 R(I) 2/79*

Medical tests

67980 The Forced Expiratory Volume in One Second (FEV1) medical test must be satisfied. This must show a

1. drop in lung function of one litre below the expected level, taking into account age, height and sex **or**
2. lung function of less than one litre.

From 16.3.15¹ no adjustments will be made to reflect the effects of treatment², for example the use of bronchodilating inhalers.

1 Social Security (Industrial Injuries) (Prescribed Diseases) Amendment Regulations 2015, reg 1(1), 2 SS (II) (PD) Regs, Sch 1, Part 1

67981 An accurate FEV1 test result will only be obtained if a claimant co-operates during the test by inhaling fully and then exhaling as hard and as fast as possible. It is sometimes (but not always) possible to recognise poor co-operation from the curves generated by the test equipment. When advising on the results of a FEV1 test, the medical adviser needs to consider both the FEV1 figure achieved, and whether the behaviour of the claimant during the test and the curves suggest adequate co-operation. This allows the medical adviser to advise whether or not the spirometric criterion has been met.

67982 The DM should note that

1. when the DM has accepted “20 years underground” prescription test, the claimant is referred for medical tests and medical advice
2. those who satisfy both tests are then examined by the medical adviser
3. claimants who fail either test should have their claim disallowed for failure to meet the **diagnosis**
4. if a full examination has taken place, the DM must ensure that the prescription question has been decided before making a decision
5. any appeal is processed in the normal way.

Change of circumstances

67983 Where a claimant maintains that there has been a worsening in their condition the case should be referred to Medical Services on the grounds that there has been a change of circumstances. In PD D12 cases a further FEV1 test will be required. When advising on the results of the FEV1 test the medical adviser needs to consider both the FEV1 figure achieved and whether the behaviour of the claimant

Appendix 1

Prescribed diseases added and changes made to the Schedule of Diseases since 5 July 1948 (see DMG 67301)

PART I

GROUP A - Conditions due to physical agents

Disease No. from 3.10.83	Corresponding No. on old Schedule	Amendment to Description of the diseases or Injury	Amendment to nature of occupation	Authority and effective Date
A1	25	“blood dyscrasia or cataract due to electro magnetic radiations (other than radiant heat), or to ionising particles” substituted for “leukaemia, or anaemia of the aplastic type, due to X rays, ionising particles, radium or other radioactive substance; or inflammation of the skin due to other forms of radiant energy”	“exposure to electro magnetic radiations other than radiant heat, or to ionising particles” substituted for “exposure to X rays ionising particles, radium or other radioactive substance or other forms of radiant energy”	SI 1958 No. 1068 7.7.58
A1		“Leukaemia (other than chronic lymphatic leukaemia) or cancer of the bone, female breast, testis or thyroid”	“Exposure to electromagnetic radiations (other than radiant heat) or to ionising particles where the dose is sufficient to double the risk of the occurrence of the condition”	SI 2000 No. 1588 10.7.00
A1		“Leukaemia (other than chronic lymphatic leukaemia) or primary cancer of the bone, bladder, breast, colon, liver, lung, ovary, stomach, testis or thyroid”	“Exposure to ionising radiation where the dose is sufficient to double the risk of the occurrence of the condition”	SI 2017 No. 232 30.3.17

Disease No. from 3.10.83	Corresponding No. on old Schedule	Amendment to Description of the diseases or Injury	Amendment to nature of occupation	Authority and effective Date
A2	26	“heat cataract” substituted for “cataract produced by exposure to the glare of, or rays from, molten glass or molten red hot metal”	“frequent or prolonged exposure to rays from molten or red hot material” substituted for “frequent or prolonged exposure to the glare of, or rays from, molten glass or molten red hot metal”	SI 1958 No 1068 7.7.58
		“Cataract”	“Frequent or prolonged exposure to radiation from red-hot or white-hot material”	SI 2000 No. 1588 10.7.00
A3	27	“decompression sickness” substituted for “compressed air illness”	“subjection to compressed or rarefied air” substituted for “subjection to compressed air”	SI 1983 No. 1068 7.7.58
		Expanded to: “Dysbarism, including decompression sickness, barotrauma and osteonecrosis”	“or other respirable gases or gaseous mixtures” added	SI 1983 No. 1094 3.10.83
		Divided into:- “(a) Dysbarism, including decompression sickness, and barotrauma; (b) Osteonecrosis.”		SI 2015 No. 87 16.3.15
A4	28	“cramp of the hand or forearm due to repetitive movements” substituted for “telegraphist's cramp”	“prolonged periods of handwriting, typing or other repetitive movements of the fingers, hand and arm” substituted for “the use of morse key telegraphic instruments for prolonged periods”	SI 1958 No. 1068 7.7.58

Disease No. from 2.10.83	Corresponding No. on old Schedule	Amendment to Description of the Disease or Injury	Amendment to Nature of Occupation	Authority and Effective Date
		Description changed to: "Task-specific focal dystonia"		SI 2007 No. 811 6.4.07
		Description changed to "Task-specific focal dystonia of the hand or forearm"		SI 2012 No. 647 30.3.12
A5	29 and 30	Diseases removed from schedule and grouped under disease No 28		SI 1958 No. 1068 7.7.58
	31	"(beat hand)" omitted		SI 2007 No. 811 6.4.07
A6	32		"External" added before "friction"	SI 1958 No. 1068 7.7.58
		"(beat knee)" omitted		SI 2007 No. 811 6.4.07
A7	33	"acute" omitted before "bursitis" due to severe or pressure at or about the elbow" added	"external" added before "friction"	SI 1958 No. 1068 7.7.58
		"(beat elbow)" omitted		SI 2007 No. 811 6.4.07
A8	34	"Traumatic inflammation of the tendons of the hand or forearm or of the associated tendon sheaths" substituted for "Inflammation of the synovial lining of the wrist joint and tendon sheaths"	-	SI 1958 No. 1068 7.7.58

Disease No. from 3.10.83	Corresponding No. on old Schedule	Amendment to Description of the Disease or Injury	Amendment to nature of Occupation	Authority and Effective Date
A9	35	Disease removed	-	SI 2007 No. 811 6.4.07
		New disease added.		
A10	48			SI 1974 No. 1414 28.10.74
		Description changed to: "Substantial permanent sensorineural hearing loss amounting to at least 50 dB in each ear, being due in case of at least one ear to occupational noise, and being the average of pure tone losses measured by audiometry over the 1, 2 and 3 KHz frequencies (occupational deafness)".	Prescription extended to: (a) the use, or supervision of or assistance in the use of pneumatic percussive tools, or the use of high speed grinding tools, in the cleaning, dressing or finishing of cast metal or of ingots, billets or blooms; or (b) the use, or supervision of or assistance in the use of, pneumatic percussive tools on metal in the shipbuilding or ship repairing industries; or	SI 1979 No 992 3.9.79
			(c) the use, or supervision of or assistance in the use of, pneumatic percussive tools on metal, or for drilling rock in quarries or underground, or in coalmining, for at least an average of one hour per working day; or	
			(d) work wholly or mainly in the immediate vicinity of drop-forging plant (including plant for drop-stamping or drop-hammering) or forging press plant engaged in the shaping of hot metal; or	

Disease No. from 3.10.83	Corresponding No. on old Schedule	Amendment to Description of the Disease or Injury	Amendment to Nature of Occupation	Authority and Effective Date
A10 cont			(e) work wholly or mainly in rooms or sheds where there are machines engaged in weaving man- made or natural (including mineral) fibres, or in the bulking up of fibres in textile manufacturing; or	
			(f) the use of machines which cut, shape or clean metal nails; or	
			(g) the use of plasma spray guns for the deposition of metal.	
		"Permanent" omitted	1. (a)(b)(c)(d)(f) and (g) extended as follows:	SI 1983 No.1094 3.10.83
			(a) the use of, or work wholly or mainly in the immediate vicinity of, or high-speed grinding tools, in the cleaning, dressing or finishing of cast metal or of ingots, billets or blooms; or	
			(b) the use of, or work wholly or mainly in the immediate vicinity of, pneumatic percussive tools on metal in the shipbuilding or ship repairing industries; or	
			(c) the use of, or work in the immediate vicinity of, pneumatic percussive tools on metal, or for drilling rock in quarries or underground, or in mining coal, for at least an average of one hour per working day; or	

Disease No. from 3.10.83	Corresponding No. on old Schedule	Amendment to Description of the Diseases or Injury	Amendment to Nature of Occupation	Authority and Effective Date
A10 cont			(d) work wholly or mainly in the immediate vicinity of drop-forging plant (including plant for drop-stamping or drop-hammering) or forging press plant engaged in the shaping of metal; or	
			(f) the use of, or work wholly or mainly in the immediate vicinity of, machines engaged in cutting, shaping or cleaning metal nails; or	
			(g) the use of, or work wholly or mainly in the immediate vicinity of, plasma spray guns engaged in the deposition of metal; or	
			2. (h) and (i) added:	
			(h) 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, band sawing machines with a blade width of not less than 75 millimetres and circular sawing machines in the operation of which the blade	

Disease No. from 3 .10.83	Corresponding No. on old Schedule	Amendment to Description of the Diseases or Injury	Amendment to Nature of Occupation	Authority and Effective Date
A10 cont			is moved towards the material being cut; or	
			(i) the use of chain saws in forestry	
			(a)(b)(c)(d) and (e) amended as follows:	SI 1987 No. 2112 4.1.88
			(a) the use of powered grinding tools on cast metal (other than weld metal) or on billets or blooms in the metal producing industry, 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 for drilling rock in quarries or underground or in mining coal, 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 work wholly or mainly in the immediate vicinity of those tools whilst they are being so used; or	
			(d) 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	

Disease No. from 3.10.83	Corresponding No. on old Schedule	Amendment to Description of the Diseases or Injury	Amendment to Nature of Occupation	Authority and Effective Date
A10 cont			(e) 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 false twisting of fibres; or	
		Description changed to:		SI 1989 No. 2207 16.10.89
		"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)."		
				SI 1994 No. 2343 10.10.94
			3. (ca) (j) (k) (l) (m) (n) (o) (p) (q) (r) (s) (t) (u) (v) and (w) added:	

Disease No. from 3.10.83	Corresponding No on old Schedule	Amendment to Description of the diseases or Injury	Amendment to nature of occupation	Authority and effective Date
B5 cont			(a) work in a hospital, mortuary in which post mortems are conducted or laboratory; or (b) work in any other workplace.”	
B6	43	Changed to: “Extrinsic allergic alveolitis (including farmer’s lung)”	1. “Exposure to the dust of mouldy hay or other mouldy vegetable produce” replaced by ““Exposure to moulds or fungal spores or heterologous proteins”.	
			2. “cultivation of edible fungi or maltworking” added to (a)	
			3. In (b) “such hay or other vegetable produce” replaced by “mouldy vegetable matter or edible fungi”.	
			4. Caring for or handling birds inserted as (c).	
			5. (c) re lettered as (d).	
			“(e) work involving exposure to metalworking fluid mists” added	SI 2007 No. 811 6.4.07

Disease No. from 3.10.83	Corresponding No. on old Schedule	Amendment to Description of the diseases or Injury	Amendment to nature of occupation	Authority and effective Date
		“(including farmer’s lung)” omitted	“or any other biological substance that causes extrinsic allergic alveolitis” added after “heterologous proteins” and “or (f) any other workplace” added after “(e)”	SI 2017 No. 232 30.3.17
	46	New disease added		S.I. 1972 No. 910 31.7.72
B7		Changed to “infection by organisms of the genus brucella”	Changed to 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	49	New disease added		S.I. 1975 No. 24 12.2.76
			Changed to “Contact with-	S.I. 1984 No. 1659
			(a) human blood or human blood products; or	
			(b) a source of viral hepatitis	
		B8A Infection by hepatitis A virus	Contact with raw sewage	S.I. 2005 No. 324 14.3.05

Disease No. from 3.10.83	Corresponding No. on old Schedule	Amendment to Description of the Disease or Injury	Amendment to Nature of Occupation	Authority and Effective Date
C23 cont			producing aluminium by electrolysis in which the anode consists of a paste of petroleum coke and mineral of which is baked in situ).”	
C24(a)	50(a)	new disease added:		S.I. 1977 No. 250 21.3.77
(b)	(b)			
(c)	-	new disease added:		S.I. 1983 No. 1094 3.10.83
		changed to	changed to	S.I. 2003 No. 270 17.3.03
		“(a) Angiosarcoma of the liver; (b) acro-osteolysis characterised by -(i) lytic destruction of the terminal phalanges, (ii) in Raynaud’s phenomenon, the exaggerated vasomotor response to cold causing intense blanching of the digits, and(iii) sclerodermatous thickening of the skin; (c) Liver fibrosis.”	“Exposure to vinyl chloride monomer in the manufacture of polyvinyl chloride.”	
		changed to (a) Angiosarcoma of the liver; or (b) osteolysis of the terminal phalanges of the fingers; or (c) sclerodermatous thickening of the skin of the hand; or (d) liver fibrosis, due to exposure to vinyl chloride monomer.		S.I. 2006 No. 586 6.4.06

Disease No. from 3.10.83	Corresponding No. on old Schedule	Amendment to Description of the Disease or Injury	Amendment to Nature of Occupation	Authority and Effective Date
C24A	-	new disease added	occupation added	S.I. 2006 No. 586 6.4.06
		Raynaud's phenomenon due to exposure to vinyl chloride monomer.	Exposure to vinyl chloride monomer in the manufacture of polyvinyl chloride before 1.1.84.	
C25	52	new disease added:		S.I. 1980 No. 1493 15.12.80
		changed to Vitiligo.	changed to The use or handling of, or exposure to, paratertiary- butylphenol (also called 4-tert-butylphenol), paratertiary-butylcatechol (also called 4-tert-butylcatechol), para-amyphenol (also called p-pentyl phenol isomers), hydroquinone, monobenzyl ether of hydroquinone (also called 4-benzyloxphenol) or mono- butyl ether of hydroquinone(also called 4-butoxyphenol).	S.I. 2003 No. 270 17.3.03
C26	-	new disease added:		S.I. 1987 No. 2112 4.1.88
		changed to	changed to	S.I. 2003 No. 270 17.3.03
		"(a) Liver toxicity;	"The use or handling of, or exposure to, carbon tetrachloride (also called tetrachloromethane)."	

Disease No. from 3.10.83	Corresponding No. on old Schedule	Amendment to Description of the Disease or Injury	Amendment to Nature of Occupation	Authority and Effective Date
		(b) kidney toxicity.”		
C27		changed to “Liver toxicity;	changed to “The use or handling of, or exposure to, trichloromethane (also called chloroform).”	S.I. 2003 No. 270 17.3.03
C28	-	new disease added:		S.I. 1987 No. 2112 4.1.88
		disease removed from schedule		S.I. 2003 No. 270 17.3.03
C29	-	new disease added:		S.I. 1987 No. 2112 4.1.88
		changed to “Peripheral neuropathy.”	changed to “The use or handling of, or exposure to, n-hexane or n-butyl methyl ketone.”	S.I. 2003 No. 270 17.3.03
C30	-	new disease added:		S.I. 1996 No. 425 24.3.96
		changed to“ (a) Dermatitis; (b) ulceration of the mucous membrane or the epidermis.”	changed to “The use or handling of, or exposure to, chromic acid, chromates or dichromates	S.I. 2003 No. 270 17.3.03
C31	-	new disease added		S.I. 2011 No. 1497 18.7.11
C32		new disease added		S.I. 2011 No. 1497 18.7.11
C33		New disease added		S.I. 2015 No. 87 16.3.15
C34		New disease added		S.I. 2017 No. 232 30.3.17

PART IV

GROUP D – Miscellaneous conditions

Disease No. from 3.10.83	Corresponding No. on old Schedule	Amendment to Description of the Disease or Injury	Amendment to Nature of Occupation	Authority and Effective Date
D1	Pneumoconiosis (unscheduled)	see Appendix 2		
D2	Byssinosis (unscheduled)			
D3	44 Diffuse Mesothelioma	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	S.I. 1997 No.810 9.4.97
D4	41	disease derived from disease No 24(a) and 24(b), Diseases removed from schedule and regrouped under new diseases Nos. 41 and 42		S.I. 1958 No. 1068 7.7.58
		Redefined as allergic rhinitis due to exposure to any of the agents listed for PD D7 (except the open category)	Exposure to any of the agents set out in Col 1	S.I. 1996 No. 4252 4.3.96
				S.I. 2005 No.324 14.3.05
D5	42	disease derived from disease No 24(a) and 24(b) - see D4 above		S.I. 1958 No. 1068 7.7.58
		“including chrome ulceration of the skin but” removed	“except chromic acid, chromates or bi-chromates” added after “external agent”	S.I. 1996 No. 425 24.3.96
D6	Combined Under the description formerly applicable to P51			

Disease No. from 3.10.83	Corresponding No. on old Schedule	Amendment to Description of the Disease or Injury	Amendment to Nature of Occupation	Authority and Effective Date
D6 cont			“(a) Attendance for work in or about a building where wooden goods are manufactured or repaired” added; (a) and (b) renumbered as (b) and (c).	S.I. 1983 No. 1094 3.10.83
D7	53		New disease added	S.I. 1982 No. 249 29.3.82
			(f) amended to “animals including insects and other arthropods used for the purposes of research or education or in laboratories”	S.I. 1986 No. 1374 1.9.86
			(g) to (n) added asthmas due to exposure to any of the following agents: anti- biotics, cimetidine wood dust, ispaghula, castor bean dust, ippecacuanha azodicarbonamide	S.I. 1986 No. 1374 1.9.86
		(o) to (x) added asthmas due to exposure to any of the following agents added: animals including insects and other arthropods or their larval forms, glutaraldehyde, persulphate salts or henna, crustaceans or fish or products arising from these in the food processing industry. reactive dyes, soya bean, tea dust, green coffee bean dust, fumes from stainless steel welding products made with natural rubber latex, any other sensitizing agent.		S.I. 1991 No. 1938 26.9.91
				S.I. 2005 No. 324 14.3.05

Disease No. from 3.10.83	Corresponding No. on old Schedule	Amendment to Description of the Disease or Injury	Amendment to Nature of Occupation	Authority and Effective Date
D8		New disease added		S.I. 1985 No. 159 1.4.85
		(b) "unilateral or bilateral diffuse pleural thickening extending to a thickness of 5 mm or more at any point within the area affected 9.4.97 as measured by a plain chest radiograph (not being a computerized tomography scan or other form of imaging) which (i) in the case of unilateral diffuse pleural thickening, covers 50 per cent or more of the area of the chest wall of the lung affected or (ii) in the case of bilateral diffuse pleural thickening, covers 25 per cent or more of the combined area of the chest wall of both lungs" added		S.I. 1997 No. 810 5.4.97
		changed to Primary carcinoma of the lung where there is accompanying evidence of asbestosis.	changed to (a) The working or handling of asbestos or any admixture of asbestos; or (b) the manufacture or repair of asbestos textiles or other articles containing or composed of asbestos; or (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	S.I. 2006 No. 586 6.4.06
			(d) substantial exposure to the dust arising from	

Disease No. from 3.10.83	Corresponding No. on old Schedule	Amendment to Description of the Disease or Injury	Amendment to Nature of Occupation	Authority and Effective Date
D8 cont			any of the foregoing operations.	
D8A	-	new disease added	occupation added	S.I. 2006 No. 586 6.4.06
		Primary carcinoma of the lung.	Exposure to asbestos in the course of- (a) the manufacture of asbestos textiles; or (b) spraying asbestos; or (c) asbestos insulation work; or (d) applying or removing materials containing asbestos in the course of shipbuilding, where all or any of the exposure occurs before 1.1.75, for a period of, or periods which amount in aggregate to, five years or more, or otherwise, for a period of, or periods which amount in aggregate to, ten years or more.	
D9		New disease added		S.I. 1985 No. 159 1.4.85
		changed to 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 (not being a computerized tomography scan or other form of imaging) which		S.I. 1997 No. 810 9.4.97
		(i) in the case of unilateral diffuse pleural thickening,		

Disease No. from 3.10.83	Corresponding No. on old Schedule	Amendment to Description of the Disease or Injury	Amendment to Nature of Occupation	Authority and Effective Date
D9 cont		covers 50 per cent or more of the area of the chest wall of the lung affected; or (ii) in the case of the bilateral diffuse pleural thickening, covers 25% or more of the combined area of the chest wall of both lungs		
		changed to Unilateral or bilateral diffuse pleural thickening with obliteration of the costophrenic angle		S.I. 2006 No. 586 6.4.06
		"with obliteration of the costophrenic angle" omitted		S.I. 2017 No. 232 30.3.17
D10		New disease added		S.I. 1987 No. 335 1.4.87
		Changed to: "primary carcinoma of the lung"		S.I. 1993 No. 862 19.4.93
			New occupation added (see DMG 67960)	S.I. 2012 No. 1634 1.8.12
D11		New disease added		S.I. 1993 No. 1985 13.9.93
		changed to 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	S.I. 1993 No. 862 19.4.93

Disease No. from 3.10.83	Corresponding No. on old Schedule	Amendment to Description of the Disease or Injury	Amendment to Nature of Occupation	Authority and Effective Date
			(g) cutting stone (h) stonemasonry (i) work in a foundry.	
D12		New disease added Except in the circumstances specified in regulation 2(d), (a) chronic bronchitis or (b) (b) emphysema or (c) both where there is accompanying evidence of	"Exposure to coal dust by reason of working underground in a coal mine for a period of, or periods amounting in the aggregate to, at least 20 years (whether before or after 5th July 1948).	S.I. 1993 No. 1985 13.9.93
		(i) coal dust retention demonstrated by a chest radiograph to at least the level of Category 1 in the International Labour Office's publication "The Classification of Radiographs of Pneumo conioses" Revised Edition 1980 8th Impression 1992 published at Geneva and		
		(ii) a forced expiratory volume in one second at least one litre below the mean value predicted in accordance with "Lung Function: Assessment and Application in Medicine" by J E Cotes, 4th Edition 1979 published at Oxford by Blackwell Scientific Publications Limited (ISBN 0-632-00033-3) for a person's age height and sex, measured from the position of maximum inspiration with the claimant making maximum effort		
		changed to		

Disease No. from 3.10.83	Corresponding No. on old Schedule	Amendment to Description of the Disease or Injury	Amendment to Nature of Occupation	Authority and Effective Date
D12 cont		<p>Except in the specified in regulation 2(d) (a) chronic bronchitis or (b) emphysema or (c) both where there is accompanying evidence of forced expiratory volume in one second (measured from the position of maximum inspiration with the claimant making maximum effort) which is (i) at least one litre below the mean value predicted in accordance with 'Lung function': Assessment and Application in Medicine: by J.E. Cotes, 5th Edition 1994 published at Oxford by Blackwell Scientific Publications Ltd (ISBN0-632-3296-9) for a person of the claimants age, height and sex or (ii) less than one litre</p>	<p>Any occupation involving: exposure to coal dust by reason of working underground in a coal mine for a period of, or periods amounting in the aggregate to, at least 20 years (whether before or after 5th July 1948) and any such period or periods shall include a period or periods of incapacity whilst engaged in such an occupation.</p>	<p>S.I. 1997 No. 810 7.4.97</p>
		<p>changed to “Except in the circumstances specified in regulation 2(d), (a) chronic bronchitis or (b) emphysema (c) or both where there is accompanying evidence of forced expiratory volume in one second (measured from the position of maximum inspiration with the claimant making maximum effort) which is (i) at least one litre below the appropriate mean value predicted, obtained from the following prediction formulae which give the mean values predicted in litres-</p>	<p>“Exposure to coal dust by reason of working underground in a coal mine for a period of, or periods amounting in the aggregate to, at least 20 years (whether before or after 5th July 1948) and any such period or periods shall include a period engaged in such an occupation”</p>	<p>S.I. 2000 No. 1588 10.7.00</p>