

Pneumoconiosis etc. (Workers' Compensation) Act 1979

FACT SHEET



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An award of **Industrial Injuries Disablement Benefit** may lead to entitlement to a lump-sum payment under the above scheme provided you meet the following criteria:

- your dust-related disease must have been caused by your employment
- you can't or haven't taken civil action because your former employer has stopped trading
- you have not brought a court action or received compensation from an employer in respect of the disease

Even if an employer – who exposed you to asbestos and may have made a material contribution to you developing an asbestos related disease – is still trading, you may still qualify for a payment. You should apply and allow the Jobcentre Plus to determine your eligibility.

Seeking legal advice is not the same as bringing a court action. Even if you have a solicitor currently looking at the possibility of you being able to pursue a civil case for compensation you may still qualify for a payment under this scheme.

Applications to this scheme must be made within 12 months of being awarded Industrial Injuries Disablement Benefit (IIDB). Applications made out with this 12 months' time limit will only be considered in exceptional circumstances.

Dependants' Claim

If you're the dependant (spouse, child, partner or relative) of someone who suffered from an asbestos related disease but who has died, you may be able to make a claim for the compensation outlined above. A dependant claim must be made within 12 months of the death of the sufferer.

Please note: Being awarded Industrial Injuries Disablement Benefit, or a payment under the Pneumoconiosis etc. (Workers' Compensation) Act 1979 may adversely affect any existing entitlement you may have to means-tested benefits

Industrial Injuries Disablement Benefit Criteria:

A disease or injury is prescribed when it is a risk arising from a person's occupation and not a risk common to everybody. The Industrial Injuries Advisory Council (IIAC) makes recommendations to the Secretary of State on what diseases the Industrial Injuries Scheme covers.

If you are suffering from pleural plaques only, you do not qualify for Industrial Injuries Disablement Benefit

The UK Government currently accepts only the following prescribed diseases as asbestos related for the purposes of claiming Industrial Injuries Disablement Benefit (IIDB). Each disease has an allocated Prescribed Disease (PD) or (D) number i.e. D1, D3, D8, D8A & D9.

D1 – Asbestosis

D3 - Mesothelioma

D8 - Primary carcinoma of the lung where there is accompanying evidence of asbestosis

D8A- Primary carcinoma of the lung

D9 – Diffuse Pleural Thickening