



## 2007 CHAPTER 2

### PART 4

#### MISCELLANEOUS

##### *Compensation for pneumoconiosis etc.*

##### **“Dependant”**

**53.—**(1) In Article 5 of the Pneumoconiosis, etc., (Workers' Compensation) (Northern Ireland) Order 1979 (NI 9) (meaning of “dependant”), for paragraph (1)(c) substitute—

“(c) if neither sub-paragraph (a) nor sub-paragraph (b) applies but the deceased left a person who was residing with him and with whom he was in a qualifying relationship, that person;”.

(2) After paragraph (2) of that Article insert—

“(2A) For the purposes of paragraph (1)(c)—

(a) two persons of the opposite sex are in a qualifying relationship if they are living together as husband and wife;

(b) two persons of the same sex are in a qualifying relationship if they are living together as if they were civil partners.

(2B) For the purposes of paragraph (2A)(b), two persons of the same sex are to be regarded as living together as if they were civil partners if, but only if, they would be regarded as living together as husband and wife were they instead two people of the opposite sex.”.

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*Changes to legislation: Welfare Reform Act (Northern Ireland) 2007, Section 53 is up to date with all changes known to be in force on or before 27 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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(3) In Schedule 22 to the Civil Partnership Act 2004 (c. 33) (existing provisions to which the provisions of section 246 about interpretation of references to stepchildren apply), after paragraph 6 insert—

“**6A** Article 5(3) of the Pneumoconiosis, etc., (Workers' Compensation) (Northern Ireland) Order 1979 (“child” and “relative”: establishment of relationship).”.

**Changes to legislation:**

Welfare Reform Act (Northern Ireland) 2007, Section 53 is up to date with all changes known to be in force on or before 27 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(3)(za) inserted by [S.I. 2015/2006 \(N.I.\) art. 67\(2\)](#)
- s. 1(3B) inserted by [S.I. 2015/2006 \(N.I.\) art. 67\(3\)](#)
- s. 14(5) added by [2010 c. 13 \(N.I.\) s. 25\(2\)](#)
- s. 14(5) amendment to earlier affecting provision [2010 c. 13 \(N.I.\) s. 25\(2\)](#) by [S.I. 2015/2006 \(N.I.\) art. 60\(7\)](#)
- s. 14(5) words substituted by [S.R. 2016/76 Sch. 6 para. 56\(b\)](#)
- Sch. 1 para. 6(1)(da) inserted by [2010 c. 13 \(N.I.\) s. 5\(2\)\(a\)](#)
- Sch. 1 para. 6(2A) inserted by [2010 c. 13 \(N.I.\) s. 5\(2\)\(b\)](#)
- Sch. 2 para. 4B inserted by [S.I. 2015/2006 \(N.I.\) art. 67\(4\)](#)
- Sch. 3 para. 12(4)(5) repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 1](#)