



Welfare Reform Act 2007

2007 CHAPTER 5

PART 4

MISCELLANEOUS

Compensation for pneumoconiosis etc.

58 “Relevant employer”

- (1) The Pneumoconiosis etc. (Workers' Compensation) Act 1979 (c. 41) is amended as follows.
- (2) In section 2 (conditions of entitlement), in subsection (3), for the definition of “relevant employer” substitute—

““relevant employer” has the meaning given in the Schedule to this Act.”
- (3) Insert the Schedule (definition of “relevant employer”) set out in Schedule 6.
- (4) In section 7(3) (regulations subject to affirmative resolution), after “section 1 above” insert “or paragraph 9 of the Schedule to this Act”.

59 “Dependant”

- (1) In section 3 of the Pneumoconiosis etc. (Workers' Compensation) Act 1979 (dependants), in subsection (1) (definition of “dependant”)—
 - (a) in paragraph (a), after “spouse”, in each place, insert “or civil partner”; and
 - (b) for paragraph (c) substitute—

“(c) if neither of the preceding paragraphs applies but he left a person who was residing with him and with whom he was in a qualifying relationship, that person;”.
- (2) After subsection (2) of that section insert—

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

Status: This is the original version (as it was originally enacted).

- (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 subsection (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.”
- (3) Subsection (5) of that section (application of subsection (1) to Scotland: substitution of paragraph (c)) ceases to have effect.
- (4) In Schedule 21 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 11 insert—
- “11A Section 3(4) of the Pneumoconiosis etc. (Workers' Compensation) Act 1979 (“child” and “relative”: establishment of relationship).”