

**SECOND SUPPLEMENT TO THE GIBRALTAR
GAZETTE**

No. 3443 of 9 December, 2004

LEGAL NOTICE NO. 109 OF 2004.

**SOCIAL SECURITY (EMPLOYMENT INJURIES INSURANCE)
ORDINANCE**

**OCCUPATIONAL DISEASES (AMENDMENT) REGULATIONS
2004**

In exercise of the powers conferred on me by section 31 of the Social Security (Employment Injuries Insurance) Ordinance, and all other enabling powers, I have made the following regulations—

Title and commencement.

1. These regulations may be cited as the Occupational Diseases (Amendment) Regulations 2004.

Amendment of Schedule 1.

2. The Occupational Diseases Regulations are amended by revoking Part 1 of Schedule 1, and substituting the following—

“OCCUPATIONAL DISEASES REGULATIONS

SCHEDULE 1

Regulation 3.

PART I – SCHEDULE OF PRESCRIBED DISEASES

<i>Description of Disease or injury</i>	<i>Nature of occupation</i>
1. Poisoning by:	Any occupation involving:-
(a) Lead or a compound of lead	The use or handling of, or exposure to the fumes, dust or vapour of, lead or a compound of lead, or a substance containing lead.
(b) 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.
(c) Phosphorus or a compound of phosphorus	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.
(d) 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.
(e) 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.
(f) Carbon bisulphide	The use or handling of, or exposure to the fumes of, or vapour of, carbon bisulphide or a compound of carbon bisulphide, or a substance containing carbon bisulphide.
(g) Benzene or a homologue	The use or handling of, or exposure to the fumes of, or vapour containing

	benzene or any of its homologues.
(h) A nitro- or amino- or chloro- derivative of benzene or of a homologue of benzene, or by nitrochlorobenzene.	The use or handling of, or exposure to the fumes of, or vapour containing, a nitro- or amino- or chloro derivative of benzene, or nitro-chlorobenzene.
(i) 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.
(j) Tetrachlorethane	The use or handling of, or exposure to the fumes of, or vapour containing, tetrachlorethane.
(k) Tri-cresyl phosphate	The use or handling of, or exposure to the fumes of, or vapour containing, tri-cresyl phosphate.
(l) Tri-phenyl phosphate	The use or handling of, or exposure to the fumes of, or vapour containing, tri-phenyl phosphate.
(m) Diethylene Dioxide (dioxan)	The use or handling of, or exposure to the fumes of, or vapour containing, diethylene dioxide (dioxan).
(n) Methyl-bromide	The use or handling of, or exposure to the fumes of, or vapour containing, methyl-bromide.
(o) Chlorinated naphthalene (excluding the condition known as chlor-acne)	The use or handling of, or exposure to the fumes of, or dust or vapour containing, chlorinated naphthalene.
(p) Nickel carbonyl	Exposure to nickel carbonyl gas.
(q) Nitrous fumes	The use or handling of nitric acid or exposure to nitrous fumes.
(r) Oxides of nitrogen	Exposure to oxides of nitrogen.
(s) 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.
(t) Halogen derivatives of hydrocarbons of the aliphatic series	The use or handling of, or exposure to the fumes, dust or vapour containing halogen derivatives of hydrocarbons of the aliphatic series.
2. Anthrax	The handling, loading and unloading or

	transport of merchandise or of animal carcasses or parts of such carcasses including hides, hoofs and horns or work in connection with animals infected with anthrax.
3. Glanders	Contact with equine animals or their carcasses.

	<i>Any occupation involving:-</i>
4. 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.
5. Ankylostomiasis	Work in or about a quarry or underground working.
6.(a) Ulceration of the corneal surface of the eye; (b) localised new growth of the skin papillomatous or keratotic; (c) epitheliomatous cancer or ulceration of the skin, due in any case to tar, pitch, bitumen, mineral oil (including paraffin), soot or any compound, product, or residue of any of these substances.	The use or handling of, or exposure to tar, pitch, bitumen, mineral oil (including paraffin), soot or any compound, product, or residue of any of these substances.
7.(a) Chrome ulceration	The use or handling of chromic acid, chromate or bichromate of ammonium, potassium, sodium, or zinc, or any preparation or solution containing any of these substances.
(b) Inflammation or ulceration of the skin or	Exposure to dust, liquid

of the mucous membrane of the upper respiratory passages or mouth produced by dust, liquid or vapour (including the condition known as chlor-acne but excluding chrome ulceration)	or vapour.
8. Pathological manifestations due to x-rays, radium or other radioactive substances.	Exposure to X-rays, ionising particles, radium or other radio-active substance or other forms of radiant energy.
9. Heat cataract	Frequent or prolonged exposure to rays from molten or red-hot material.
10. Compressed air illness	Subjection to compressed air.
11. Cramp of the hand or forearm due to repetitive movements	Prolonged periods of handwriting, typing or other repetitive movements of the fingers, hand and arm.
12. Subcutaneous cellulitis of the hand (Beat hand)	Manual labour causing severe or prolonged friction or pressure on the hand.
13. Subcutaneous cellulitis or acute bursitis arising at or about the knee (Beat knee)	Manual labour causing severe or prolonged external friction or pressure at or about the knee.
14. Subcutaneous cellulitis or acute bursitis arising at or about the elbow (Beat elbow)	Manual labour causing severe or prolonged external friction or pressure at or about the elbow.
15. Inflammation of the synovial lining of the wrist joint and tendon sheaths.	Manual labour, or frequent or repeated movements of the hand or wrist.
16. Miner's nystagmus.	Work in or about a mine or underground working.

17. Viral hepatitis.	<p>(a) Close and frequent contact with human blood or human blood products; or</p> <p>(b) Close and frequent contact with a source of viral hepatitis infection by reason of employment in the medical treatment or nursing of a person or persons suffering from viral hepatitis, or in a service auxiliary to such treatment or nursing.</p>
18. Tuberculosis.	<p>Close and frequent contact with a source or sources of tuberculous infection by reason of employment:—</p> <p>(a) in the medical treatment or nursing of a person or persons suffering from tuberculosis, or in a service ancilliary to such treatment or nursing;</p> <p>(b) in attendance upon a person or persons suffering from tuberculosis, where the need for such attendance arises by reason of physical or mental infirmity;</p> <p>(c) as a research worker engaged in research in connection with</p>

	<p>tuberculosis;</p> <p>(d) as a laboratory worker, pathologist or person taking part in or assisting at post-mortem examinations of human remains where the occupation involves working with material which is a source or tuberculous infection.</p>
<p>19. Occupational deafness Sensorineural hearing loss amounting to at least 50dB 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.</p>	<p>(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</p> <p>(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</p> <p>(c) the use of pneumatic percussive tools for drilling rock in quarries or underground or in mining coal or in sinking shafts for tunnelling in civil engineering works, or work wholly or mainly in the immediate vicinity of those tools whilst they are being so</p>

	<p>used; or</p> <p>(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</p> <p>(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</p> <p>(f) the use of, or work wholly or mainly in the immediate vicinity of, machines engaged in cutting, shaping or cleaning metal nails; or</p> <p>(g) the use of, or work wholly or mainly in the immediate vicinity of, Plasma spray guns engaged in the deposition of metal; or</p> <p>(h) the use of, or work wholly or mainly in the</p>
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	<p>immediate vicinity of, any of the following machines engaged in the working 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</p> <p>(i) the use of chain saws in forestry; or</p> <p>(j) air arc gouging or work wholly in or mainly in the immediate vicinity of air arc gouging; or</p> <p>(k) 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</p>
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	<p>the immediate vicinity of those tools whilst they are being so used; or</p> <p>(l) 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</p> <p>(m) the use of burners or torches for cutting or dressing steel based products, or work wholly or mainly in the immediate vicinity on those tools whilst they are being so used; or</p> <p>(n) work wholly or mainly in the immediate vicinity of skid transfer banks; or</p> <p>(o) work wholly or mainly in the immediate vicinity of knock out and shake out grids in foundries; or</p> <p>(p) mechanical bobbin cleaning or work wholly or mainly in the immediate vicinity of mechanical bobbin cleaning; or</p> <p>(q) the use of, or work</p>
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	<p>wholly or mainly in the immediate vicinity of, vibrating metal moulding boxes in the concrete products industry; or</p> <p>(r) 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>(s) work in ships' engine room; or</p> <p>(t) 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>(u) burning stone in quarries by jet channelling processes, or work wholly or mainly in the immediate vicinity of such processes; or</p> <p>(v) work on gas turbines in connection with:—</p> <p>(i) Performance testing on test bed;</p>
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	<p>(ii) Installation testing of replacement engines in aircraft;</p> <p>(iii) Acceptance testing of Armed Service fixed wing combat planes; or</p> <p>(w) 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</p>
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	<p>air to produce glass wool or mineral wool;</p> <p>(iii) Continuous glass toughening furnaces.</p>
20. Extrinsic allergic alveolitis (including farmer's lung)	<p>Exposure to moulds or fungal spores or heterologous proteins by reasons of employment in:-</p> <p>(a) agriculture, horticulture, forestry, cultivation of edible fungi or malt-working; or</p> <p>(b) loading or unloading or handling in storage mouldy vegetable matter or edible fungi; or</p> <p>(c) caring for or handling birds; or</p> <p>(d) handling bagasse.</p>
21. Hydatidosis	Contact with dogs.
22. 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>23. 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 by a plain chest radiograph (not being a computerised tomography scan or other form of imaging) which:</p> <p>(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>(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>24. Unilateral or bilateral diffuse pleural thickening extending to a thickness of 5mm or more of 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>(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>(ii) in the case of bilateral diffuse</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 in any of the foregoing</p>

<p>pleural thickening covers 25% or more of the combined area of the chest wall of both lungs.</p>	<p>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>25. Primary carcinoma of the lung where there is accompanying evidence of silicosis.</p>	<p>Exposure to silica dust in the course of:-</p> <p>(a) the manufacture of glass or pottery;</p> <p>(b) tunnelling or in quarrying sandstone or granite;</p> <p>(c) mining metal ores;</p> <p>(d) slate quarrying or the manufacture of artefacts from slate;</p> <p>(e) mining clay;</p> <p>(f) using siliceous materials as abrasives;</p> <p>(g) cutting stone;</p> <p>(h) stonemasonry; or</p> <p>(i) work in a foundry.</p>

Dated the 9th day of December, 2004.

Y DEL AGUA,

Minister for Social and Civic Affairs.