

**REICHSGESETZBLATT [REICH LEGAL GAZETTE]**

**Part I**

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**Fourth Ordinance  
as to including occupational diseases under the Accident Insurance Code  
of January 29, 1943**

On the basis of § 545 of the Reich Insurance Ordinance per the Sixth Statute as to changes to the Accident Insurance Code dated March 9, 1942 (Reich Legal Gazette I, p. 107) it is hereby decreed:

§ 1

The Third Ordinance as to including occupational diseases under the Accident Insurance Code dated December 16, 1936 (Reich Legal Gazette I, p. 117) is amended as follows:

1. In § 5, paragraph I now reads as follows:

“(1) If, by continuing to work at the company, there is danger to the insured that a work-related disease occurs, re-occurs, or worsens, the insurer should

- a) authorize treatment for the insured if necessary,
- b) ensure that the insured cease the dangerous work, and in compensation of any reduction in earnings caused thereby or other monetary damages, authorize a transitional pension up to one half of the full pension or transitional funds in the amount of up to one half of the full annual pension.”

2. In § 6, sentence 1 of paragraphs 1, 2, and 3 now reads as follows:

“(1) The regulations as to the notice of accident in the general and agricultural Accident Insurance Code (§§ 1552 to 1558 of the Reich Insurance Code) accordingly apply to occupational diseases.

(2) Within two days after receipt of a notice of a work-related disease, the insurer shall transmit the original copy to the state-certified occupational physician responsible for the place of work of the insured.

(3) The occupational physician, if he deems it necessary, shall examine without delay the ill person or to cause an examination at the cost of the insurer by an appointed physician and to provide a report to the insurer.

§ 2

The attachment to the Ordinance referenced in § 1 is amended as follows:

1. In column III, the word “companies” replaces the words “plants and activities” and the words “All companies” replace the words “plants, activities, and facilities subject to the Accident Insurance Code.”
2. In No. 8 column II, the words “of fatty compounds” are deleted.
3. At the end of No. 8 the following is added:  
“8a Illnesses due to nitric acid esters”.
4. In No. 16, column II now reads as follows:  
“Illnesses due to vibrations when working with pneumatic tools and tools and machines with similar effects as well as due to work on a beating machine”.
5. At the end of No. 16, the following is added:  
“16a Illnesses due to work with compressed air”.
6. In No. 17, column II letter b now reads as follows:  
“b) Dust disease (silicosis) in connection with active progressive tuberculosis of the lungs”.
7. In No. 18, column II now reads as follows:  
“a) Serious asbestos dust disease of the lung (asbestosis)  
b) Asbestos dust disease of the lung (asbestosis) in connection with cancer of the lung”.
8. In No. 19, column III now reads as follows:  
“Companies producing alkali chromates and processing them into chrome paints”.
9. At the end of No. 20 the following is added:  
“20a Illnesses of the lower airways and of the lungs due to aluminum dust  
All companies

20b Illnesses of the lower airways and of the lungs due to extract beryllium

Companies extracting beryllium from ore or intermediate products from ore processing”.

10. In No. 25, column III now reads as follows:

“All companies”.

11. At the end of No. 26, the following is added:

“27 Infectious jaundice, Bang’s disease, anthrax, glanders, and other diseases transferable from animals to humans

Livestock breeding and animal husbandry as well as handling or contact with animals, animal parts, products, and discharges giving rise to illness”.

§ 3

The Reich Minister of Labor may decree with the agreement of the Reich ministers involved that an infectious disease that is not listed in the attachment to the Ordinance set forth in § 1 is deemed to be an occupational disease if it is due to occupational activity in certain areas outside the Greater German Reich.

§ 4

The Reich Insurance Office may issue regulations to implement this Ordinance.

§ 5

- (1) This Ordinance becomes effective as of January 1, 1942.
- (2) If an insured is suffering from an occupational disease as of the effective date of the Ordinance whose compensation is based on this Ordinance, then the application for compensation shall be approved according to the above regulations if the event subject to insurance commences after August 25, 1939. Decisions with the force of law do not preclude this. Compensation shall be approved no earlier than the effective date of the Ordinance.

Berlin, January 29, 1943.

The Reich Labor Minister  
Franz Seldte