

Regulations made by the Department for Communities and laid before the Assembly under section 10(2) of the Mesothelioma, etc., Act (Northern Ireland) 2008 for approval of the Assembly before the expiration of six months from the date of their coming into operation

STATUTORY RULES OF NORTHERN IRELAND

2019 No. 47

SOCIAL SECURITY

The Mesothelioma Lump Sum Payments (2018 Conditions and Amounts) (Amendment) Regulations (Northern Ireland) 2019

Made - - - - 19th March 2019

Coming into operation 26th March 2019

The Department for Communities makes the following Regulations in exercise of the powers conferred by sections 1(3) and 9(2)(a) of the Mesothelioma, etc., Act (Northern Ireland) 2008⁽¹⁾.

Citation, commencement and application

1.—(1) These Regulations may be cited as the Mesothelioma Lump Sum Payments (2018 Conditions and Amounts) (Amendment) Regulations (Northern Ireland) 2019 and shall come into operation on 26th March 2019.

(2) In regulation 2—

(a) paragraph (a) applies only in relation to a person—

(i) first diagnosed with diffuse mesothelioma on or after 1st April 2018; or

(ii) where the date of the first diagnosis with diffuse mesothelioma is unknown, if a claim under section 1(1) of the Mesothelioma etc., Act (Northern Ireland) 2008 is made by that person on or after 1st April 2018; and

(b) paragraph (b) applies only in relation to the dependant of a person who dies on or after 1st April 2018 and who, immediately before death, had diffuse mesothelioma.

Amendment of the Mesothelioma Lump Sum Payments (Conditions and Amounts) Regulations

2. In the Schedule to the Mesothelioma Lump Sum Payments (Conditions and Amounts) Regulations (Northern Ireland) 2008⁽²⁾—

(a) for Table 1 substitute the Table set out in Part 1 of the Schedule to these Regulations; and

(1) 2008 c. 9 (N.I.); see section 1(7) of the Departments Act (Northern Ireland) 2016 (c. 5 (N.I.))

(2) S.R. 2008 No. 354; relevant amending Regulations are S.R. 2018 No. 168

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(b) for Table 2 substitute the Table set out in Part 2 of the Schedule to these Regulations.

Revocation

3. The Mesothelioma Lump Sum Payments (Conditions and Amounts) (Amendment No. 2) Regulations (Northern Ireland) 2018 are revoked**(3)**.

Sealed with the Official Seal of the Department for Communities on 19th March 2019

(L.S.)

Anne McCleary
A senior officer of the Department for
Communities

SCHEDULE

Regulation 2

Part 1

“Table 1

Amount of lump sum payment to person with mesothelioma

<i>Age of person with mesothelioma at first diagnosis, or, if unknown, at date of claim</i>	<i>Payment £</i>
37 and under	90,097
38	88,345
39	86,597
40	84,849
41	83,097
42	81,348
43	80,476
44	79,596
45	78,725
46	77,849
47	76,974
48	74,529
49	72,080
50	69,627
51	67,181
52	64,725
53	62,978
54	61,230
55	59,484
56	57,727
57	55,979
58	51,432
59	46,881
60	42,339
61	37,788
62	33,240
63	30,439

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<i>Age of person with mesothelioma at first diagnosis, or, if unknown, at date of claim</i>	<i>Payment £</i>
64	27,638
65	24,844
66	22,043
67	19,245
68	18,675
69	18,103
70	17,540
71	16,971
72	16,404
73	15,920
74	15,427
75	14,955
76	14,480
77 and over	13,998

Part 2

“Table 2

Amount of lump sum payment to dependant

<i>Age of person with mesothelioma at death</i>	<i>Payment £</i>
37 and under	46,888
38	45,879
39	44,873
40	43,868
41	42,862
42	41,856
43	40,894
44	39,923
45	38,967
46	38,005
47	37,045
48	35,864

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<i>Age of person with mesothelioma at death</i>	<i>Payment £</i>
49	34,680
50	33,502
51	32,324
52	31,145
53	30,177
54	29,218
55	28,256
56	27,287
57	26,328
58	23,665
59	20,993
60	18,328
61	15,658
62	12,987
63	12,225
64	11,468
65	10,692
66	9,929
67 and over	7,763”

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and re-enact the provisions of the Mesothelioma Lump Sum Payments (Conditions and Amounts) (Amendment No. 2) Regulations (Northern Ireland) 2018 which would otherwise cease to have effect by virtue of section 10(2) of the Mesothelioma, etc., Act (Northern Ireland) 2008. These Regulations amend the Mesothelioma Lump Sum Payments (Conditions and Amounts) Regulations (Northern Ireland) 2008 to increase amounts of lump sums payable to people with diffuse mesothelioma or to their dependants under the Mesothelioma, etc., Act (Northern Ireland) 2008. The increase in each case is 3 per cent., rounded up or down to the nearest £1 as appropriate.