

Draft Regulations laid before Parliament under section 53(3) of the Child Maintenance and Other Payments Act 2008, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2022 No. XXXX

SOCIAL SECURITY

**The Mesothelioma Lump Sum Payments (Conditions
and Amounts) (Amendment) Regulations 2022**

Made - - - - *****
Coming into force - - *1st April 2022*

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred by sections 46(3) and 53(1) and (2)(b) of the Child Maintenance and Other Payments Act 2008(1).

In accordance with section 53(3)(2) of the Child Maintenance and Other Payments Act 2008, a draft of this instrument was laid before, and approved by a resolution of, each House of Parliament.

Citation, commencement, application and extent

1.—(1) These Regulations may be cited as the Mesothelioma Lump Sum Payments (Conditions and Amounts) (Amendment) Regulations 2022 and come into force on 1st April 2022.

(2) Regulation 2(a) applies only in relation to a person—

- (a) first diagnosed with diffuse mesothelioma on or after 1st April 2022; or
- (b) where the date of the first diagnosis with diffuse mesothelioma is unknown, if a claim under section 46(1) of the Child Maintenance and Other Payments Act 2008 is made by that person on or after 1st April 2022.

(3) Regulation 2(b) applies only in relation to the dependant of a person who dies on or after 1st April 2022 and who, immediately before their death, had diffuse mesothelioma.

(4) These Regulations extend to England and Wales and Scotland.

(1) 2008 c. 6.

(2) Section 53 was amended by the Welfare Reform Act 2012 (c. 5), Schedule 11, paragraph 18.

Amendment of the Schedule to the Mesothelioma Lump Sum Payments (Conditions and Amounts) Regulations 2008

2. In the Schedule to the Mesothelioma Lump Sum Payments (Conditions and Amounts) Regulations 2008(3)—

(a) for Table 1 (together with the headings to the Table) substitute—

“Table 1

Amount of lump sum payment to person with mesothelioma

<i>Age of person with mesothelioma at first diagnosis or, if unknown, date of claim</i>	<i>Payment</i>
	£
37 or under	97,219
38	95,329
39	93,443
40	91,557
41	89,667
42	87,779
43	86,838
44	85,888
45	84,948
46	84,003
47	83,059
48	80,421
49	77,779
50	75,132
51	72,492
52	69,842
53	67,956
54	66,072
55	64,188
56	62,291
57	60,403
58	55,498
59	50,587
60	45,686

(3) [S.I. 2008/1963](#); [S.I. 2021/270](#) is the relevant amending instrument.

<i>Age of person with mesothelioma at first diagnosis or, if unknown, date of claim</i>	<i>Payment</i> £
61	40,776
62	35,868
63	32,847
64	29,823
65	26,807
66	23,786
67	20,766
68	20,151
69	19,533
70	18,926
71	18,312
72	17,701
73	17,179
74	16,647
75	16,137
76	15,625
77 or over	15,105”;

(b) for Table 2 (together with the headings to the Table) substitute—

“Table 2

Amount of lump sum payment to dependant

<i>Age of person with mesothelioma at death</i>	<i>Payment</i> £
37 or under	50,594
38	49,507
39	48,421
40	47,336
41	46,251
42	45,166
43	44,127
44	43,079
45	42,047

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument:
The Mesothelioma Lump Sum Payments (Conditions and Amounts) (Amendment) Regulations 2022 No. 253

<i>Age of person with mesothelioma at death</i>	<i>Payment</i>
	<i>£</i>
46	41,010
47	39,974
48	38,700
49	37,422
50	36,150
51	34,880
52	33,606
53	32,562
54	31,528
55	30,490
56	29,444
57	28,409
58	25,536
59	22,652
60	19,777
61	16,897
62	14,014
63	13,192
64	12,375
65	11,538
66	10,714
67 or over	8,376”.

Signed by authority of the Secretary of State for Work and Pensions

Date

Name
 Minister of State
 Department for Work and Pensions

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Schedule to the Mesothelioma Lump Sum Payments (Conditions and Amounts) Regulations 2008 ([S.I. 2008/1963](#)) (“the 2008 Regulations”) by substituting revised tables of the amount of lump sum payments payable to people with diffuse mesothelioma or to their surviving dependants.

The substituted tables have the effect of increasing the amounts payable under the 2008 Regulations by 3.1 per cent in each case, rounded up or down to the nearest £1 as appropriate.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.