

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

2023 No. XXXX

SOCIAL SECURITY

**The Mesothelioma Lump Sum Payments (Conditions
and Amounts) (Amendment) Regulations 2023**

Made - - - - *****
Coming into force - - *1st April 2023*

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 2023 and come into force on 1st April 2023.

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

- (a) first diagnosed with diffuse mesothelioma on or after 1st April 2023; 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 2023.

(3) Regulation 2(b) applies only in relation to the dependant of a person who dies on or after 1st April 2023 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	107,038
38	104,957
39	102,881
40	100,804
41	98,723
42	96,645
43	95,609
44	94,563
45	93,528
46	92,487
47	91,448
48	88,544
49	85,635
50	82,720
51	79,814
52	76,896
53	74,820
54	72,745
55	70,671
56	68,582
57	66,504
58	61,103
59	55,696
60	50,300

(3) [S.I. 2008/1963](#). [S.I. 2022/253](#) 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	44,894
62	39,491
63	36,165
64	32,835
65	29,515
66	26,188
67	22,863
68	22,186
69	21,506
70	20,838
71	20,162
72	19,489
73	18,914
74	18,328
75	17,767
76	17,203
77 or over	16,631”;

(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	55,704
38	54,507
39	53,312
40	52,117
41	50,922
42	49,728
43	48,584
44	47,430
45	46,294

<i>Age of person with mesothelioma at death</i>	<i>Payment</i>
	<i>£</i>
46	45,152
47	44,011
48	42,609
49	41,202
50	39,801
51	38,403
52	37,000
53	35,851
54	34,712
55	33,569
56	32,418
57	31,278
58	28,115
59	24,940
60	21,774
61	18,604
62	15,429
63	14,524
64	13,625
65	12,703
66	11,796
67 or over	9,222”.

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 10.1 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.