



Mesothelioma Act 2014

2014 CHAPTER 1

Payments and procedure

4 Payments

- (1) The amount of a payment under the scheme is to be determined in accordance with the scheme.
- (2) The scheme—
 - (a) may provide for the amount of the payment to depend on the age of the person with diffuse mesothelioma, and
 - (b) must ensure that where there are two or more eligible dependants, the amount for each of them is the amount for a single eligible dependant divided by the number of eligible dependants in the case in question.
- (3) The scheme may—
 - (a) make provision for payments to be made subject to conditions (including conditions as to how a payment may be used), and
 - (b) in particular, give the scheme administrator power to decide when to impose conditions or what conditions to impose.
- (4) The scheme may make provision for payments to be repaid (in whole or in part) in specified circumstances.
- (5) An amount that falls to be repaid under subsection (4) is recoverable by the scheme administrator as a debt.
- (6) The scheme must provide that where an eligible person has made an application in accordance with the scheme and has died before the payment is made, the payment must be made to his or her personal representatives.

5 Applications and procedure

- (1) The scheme may deal with the procedure for the making and deciding of applications and, in particular, may—

Status: This is the original version (as it was originally enacted).

- (a) impose time limits for making an application or taking other steps;
 - (b) enable the scheme administrator to require a person to produce documents;
 - (c) make other provision about evidence.
- (2) The scheme may enable a court to order a person to comply with a requirement to produce documents.

6 Reviews and appeals

- (1) The scheme—
- (a) must give an applicant the right to request a review of a decision taken under the scheme, and
 - (b) may require or allow reviews in other circumstances.
- (2) The scheme may contain provision about initiating and deciding reviews (including provision imposing time limits).
- (3) The scheme must confer a right of appeal to the First-tier Tribunal against a decision taken on a review.
- (4) In a case where a person makes an application and then dies, the reference in subsection (1)(a) to an applicant is to be read as a reference to his or her personal representatives.