

EXPLANATORY MEMORANDUM TO THE

WORKMEN'S COMPENSATION (SUPPLEMENTATION) (AMENDMENT)
SCHEME 2005

2005 No.832

1. This explanatory memorandum has been prepared by the Department for Work and Pensions and is laid before Parliament by Command of Her Majesty.

2. Description

2.1 These regulations amend the Workmen's Compensation (Supplementation) Scheme by making adjustments to the rate of lesser incapacity allowance. They are a consequence of The Social Security Benefits Up-rating Order 2005.

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None.

4. Legislative Background

4.1 These regulations are made as part of the general annual uprating of the Social Security and similar benefits. Paragraph 2 of Schedule 8 of the Social Security Contributions and Benefits Act 1992 provides the conditions of entitlement for the Workmen's Compensation (Supplementation) Scheme. Paragraph 1 of Schedule 9 to the Social Security Administration Act 1992 allows this amendment to the Scheme.

5. Extent

5.1 This instrument applies to all of Great Britain.

6. European Convention on Human Rights

6.1 Not applicable.

7. Policy Background

The Workmen's Compensation (Supplementation) Scheme pays extra benefit to people who receive Workmen's Compensation for an accident or disease arising from work they did before 5th July 1948. Lesser incapacity allowance is paid to a person who is partially unable to work because of their accident or disease. The amount paid is based on the earnings they are losing because of their incapacity. These regulations make adjustments to increase the rate of lesser incapacity allowance under the Workmen's Compensation (Supplementation) Scheme 1982. The increase is based on

the Retail Price Index, in September 2004: the same indicator of inflation for the main Social Security benefits.

8. Impact

8.1 A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.

8.2 The impact on the public sector is that additional programme expenditure will be incurred but no additional administration costs.

9. Contact

9.1 Caroline Vincent at the Department for Work and Pensions Tel: 01253 333046 or e-mail: **Caroline.D.Vincent@Jobcentreplus.gsi.gov.uk** can answer any queries regarding the instrument.