
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide that payments made:

- Under or by certain schemes or trusts established for the purpose of providing compensation to those who have been infected from contaminated blood products, or
- Under or by certain trusts established for the purpose of giving relief and assistance to disabled people whose disabilities were caused by the fact that during their pregnancy their mother had taken the drug known as Thalidomide,

are to be ignored for certain social security purposes.

Regulations 4 and 9 amend the Social Security (Recovery of Benefits) Regulations 1997 (S.I. 1997/2205) and the Social Security (Recovery of Benefits) (Lump Sum Payments) Regulations 2008 (S.I. 2008/1596) to exempt payments from such schemes or trusts from the compensation recovery schemes established under the Social Security (Recovery of Benefits) Act 1997 (c. 27).

Regulations 2, 3 and 5 to 8 amend the following Regulations to provide that payments made from such schemes or trusts are not taken into account in the calculation of income or capital as appropriate:

- the Income Support (General) Regulations 1987 (S.I. 1987/1967),
- the Jobseeker's Allowance Regulations 1996 (S.I. 1996/207),
- the State Pension Credit Regulations 2002 (S.I. 2002/1792),
- the Housing Benefit Regulations 2006 (S.I. 2006/213),
- the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006 (S.I. 2006/214), and
- the Employment and Support Allowance Regulations 2008 (S.I. 2008/794).

Regulations 6 and 7 also provide that evidence may be required from claimants in respect of payments from the Scottish Infected Blood Support Scheme in accordance with the evidence and information provisions of the Housing Benefit Regulations 2006 and the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006.

An impact assessment has not been produced for this instrument as it has no new impact on business or civil society organisations.