

2019 No. 369

SOCIAL SECURITY

The Mesothelioma Lump Sum Payments (Conditions and Amounts) (Amendment) Regulations 2019

Made - - - - *21st February 2019*

Coming into force - - *1st April 2019*

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(a).

In accordance with section 53(3)(b) 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 and application

1.—(1) These Regulations may be cited as the Mesothelioma Lump Sum Payments (Conditions and Amounts) (Amendment) Regulations 2019 and come into force on 1st April 2019.

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

- (a) first diagnosed with diffuse mesothelioma on or after 1st April 2019; 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 2019.

(3) Regulation 2(b) applies only in relation to the dependent of a person who dies on or after 1st April 2019 and who, immediately before their death, had diffuse mesothelioma.

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(c)—

(a) for Table 1 substitute—

“Table 1

Amount of lump sum payment to person with mesothelioma

<i>Age of person with mesothelioma at first</i>	<i>Payment</i>
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(a) 2008 c. 6.

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

(c) S.I. 2008/1963; S.I. 2018/315 is the relevant amending instrument.

<i>diagnosis or, if unknown, date of claim</i>	<i>£</i>
37 and under	92,259
38	90,465
39	88,675
40	86,885
41	85,091
42	83,300
43	82,407
44	81,506
45	80,614
46	79,717
47	78,821
48	76,318
49	73,810
50	71,298
51	68,793
52	66,278
53	64,489
54	62,700
55	60,912
56	59,112
57	57,322
58	52,666
59	48,006
60	43,355
61	38,695
62	34,038
63	31,170
64	28,301
65	25,440
66	22,572
67	19,707
68	19,123
69	18,537
70	17,961
71	17,378
72	16,798
73	16,302
74	15,797
75	15,314
76	14,828
77 and over	14,334”;

(b) for Table 2 substitute—

“Table 2

Amount of lump sum payment to dependant

<i>Age of person with mesothelioma at death</i>	<i>Payment £</i>
37 and under	48,013
38	46,980
39	45,950
40	44,921
41	43,891
42	42,861
43	41,875
44	40,881
45	39,902
46	38,917
47	37,934
48	36,725
49	35,512
50	34,306
51	33,100
52	31,892
53	30,901
54	29,919
55	28,934
56	27,942
57	26,960
58	24,233
59	21,497
60	18,768
61	16,034
62	13,299
63	12,518
64	11,743
65	10,949
66	10,167
67 and over	7,949".

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

21st February 2019

Sarah Newton
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 2.4 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.

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