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STATUTORY INSTRUMENTS

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**2020 No. 103**

**The Victims' Payments Regulations 2020**

**PART 1**

Preliminary

**Citation and commencement and extent**

- 1.—(1) These Regulations may be cited as the Victims' Payments Regulations 2020.
- (2) The following provisions come into force on the 24th February 2020—
- (a) regulation 1;
  - (b) regulation 3;
  - (c) Schedule 1;
  - (d) paragraph 4(1) of Schedule 2, and regulation 15(8) so far as it relates to that paragraph;
  - (e) paragraphs 1, 4 and 5 of Schedule 3, and regulation 53 so far as it relates to that paragraph.
- (3) The remaining provisions of these Regulations come into force on 29th May 2020.
- (4) Except as provided by paragraphs (5) to (7), these Regulations extend to Northern Ireland only.
- (5) Regulations 1, 2, 26, 28, 29 and 31 extend to England and Wales, Scotland and Northern Ireland.
- (6) The amendments made by paragraph 2 of Schedule 3 extend to England and Wales only.
- (7) Any other amendment made by these Regulations has the same extent as the provision it amends.

**Interpretation**

- 2.—(1) In these Regulations—
- “appeal panel” means a panel appointed by the President of the Board under regulation 35(1);
  - “the Board” means the Victims' Payments Board established by regulation 3(1);
  - “the Executive Office” means the Executive Office in Northern Ireland;
  - “the data protection legislation” has the same meaning as in the Data Protection Act 2018(1) (see section 3 of that Act).
  - “degree of disablement” means the degree of disablement assessed in accordance with regulation 15 and “assessed” is to be construed accordingly;
  - “the deceased” has the meaning given in regulation 10(1);
  - “degree of relevant disablement” means—
- (a) the degree of permanent disablement, or

(b) in a case where an interim assessment has been made, the degree of disablement of a person during an interim period;

“the Department” means the Department designated under paragraph 2(1) of Schedule 1;

“disablement” means damage, disfigurement and loss of physical or mental capacity resulting from injury, and “disabled” shall be construed accordingly;

“health care professional” means—

- (a) a registered medical practitioner;
- (b) a registered nurse;
- (c) an occupational therapist or physiotherapist registered with a regulatory body established by an Order in Council under section 60 of the Health Act 1999<sup>(2)</sup>, or
- (d) a member of such other profession regulated by a body mentioned in section 25(3) of the National Health Service Reform and Health Care Professions Act 2002<sup>(3)</sup>;

“interim assessment” has the meaning given by regulation 14(1)(b);

“interim period” has the meaning given by regulation 14(1)(a);

“legal member” means a member of the Board appointed under paragraph 3(1)(a) of Schedule 1;

“medical member” means a member of the Board appointed under paragraph 3(1)(b) of Schedule 1;

“ordinary member” means a member of the Board appointed under paragraph 3(1)(c) of Schedule 1;

“panel” means a panel appointed by the President of the Board (other than an appeal panel);

“permanent”, in relation to disablement, means where, following appropriate clinical management of adequate duration, an injury has reached a steady or stable state at maximum medical improvement;

“personal data” means data within the meaning of section 3(2) of the Data Protection Act 2018 except that it also includes data relating to a deceased individual where the data would be personal data within the meaning of that section if it related to a living individual;

“relevant incident” means a Troubles-related incident determined by a panel under regulation 12(3)(c) to be an incident in relation to which the applicant is entitled to victims’ payments;

“review panel” means a panel appointed by the President of the Board under regulation 43(3).

(2) The Scheme established by these Regulations is to be known as the Troubles Permanent Disablement Payment Scheme.

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(2) 1999 c. 8; there are amendments to section 60 not relevant to these Regulations.

(3) 2002 c. 17; relevant amendments to section 25(3) were made by paragraph 17(2) and (3) of Schedule 10 to the Health and Social Care Act 2008 (c. 14), paragraph 56(b) of Schedule 15 to the Health and Social Care Act 2012 (c. 7) and SI 2010/231.