

Draft Regulations laid before Parliament under section 53(3) of the Child Maintenance and Other Payments Act 2008, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2018 No. XXXX

SOCIAL SECURITY

**The Mesothelioma Lump Sum Payments (Conditions
and Amounts) (Amendment) Regulations 2018**

Made - - - - *****
Coming into force - - *1st April 2018*

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(1).

In accordance with section 53(3)(2) of the Child Maintenance and Other Payments Act 2008, a draft of this instrument was laid before Parliament and approved by 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 2018 and come into force on 1st April 2018.

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

- (a) first diagnosed with diffuse mesothelioma on or after 1st April 2018; 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 2018.

(3) Regulation 2(b) applies only in relation to the dependant of a person who dies on or after 1st April 2018 and who, immediately before their death, had diffuse mesothelioma.

(1) 2008 c. 6.
(2) Section 53 was amended by the Welfare Reform Act 2012 (c. 5), Schedule 11, paragraph 18.

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(3)—

(a) for Table 1 substitute—

“Table 1

Amount of lump sum payment to person with mesothelioma

<i>Age of person with mesothelioma at first diagnosis or, if unknown, date of claim</i>	<i>Payment</i> £
37 and under	90,097
38	88,345
39	86,597
40	84,849
41	83,097
42	81,348
43	80,476
44	79,596
45	78,725
46	77,849
47	76,974
48	74,529
49	72,080
50	69,627
51	67,181
52	64,725
53	62,978
54	61,230
55	59,484
56	57,727
57	55,979
58	51,432
59	46,881
60	42,339

(3) [S.I. 2008/1963](#); [S.I. 2017/437](#) is the relevant amending instrument.

<i>Age of person with mesothelioma at first diagnosis or, if unknown, date of claim</i>	<i>Payment</i> £
61	37,788
62	33,240
63	30,439
64	27,638
65	24,844
66	22,043
67	19,245
68	18,675
69	18,103
70	17,540
71	16,971
72	16,404
73	15,920
74	15,427
75	14,955
76	14,480
77 and over	13,998”;

(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	46,888
38	45,879
39	44,873
40	43,868
41	42,862
42	41,856
43	40,894
44	39,923
45	38,967

<i>Age of person with mesothelioma at death</i>	<i>Payment</i>
	<i>£</i>
46	38,005
47	37,045
48	35,864
49	34,680
50	33,502
51	32,324
52	31,145
53	30,177
54	29,218
55	28,256
56	27,287
57	26,328
58	23,665
59	20,993
60	18,328
61	15,658
62	12,987
63	12,225
64	11,468
65	10,692
66	9,929
67 and over	7,763”.

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

Date

Name
 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 3 per cent in each case, rounded up or down to the nearest £1 as appropriate.

A full impact assessment has not been published for this instrument as it has no impact on the private sector or civil society organisations.