

This Draft Statutory Instrument has been printed in substitution for the Statutory Instrument of the same title published on 23rd January 2012, and is being issued free of charge to all known recipients of that Draft Statutory Instrument.

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

2012 No.[]

SOCIAL SECURITY

The Mesothelioma Lump Sum Payments (Conditions and Amounts) (Amendment) Regulations 2012

Made - - - -

Coming into force - -

1st April 2012

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)(1) of the Child Maintenance and Other Payments Act 2008(2).

In accordance with section 53(3) of that Act, a draft of this instrument was laid before Parliament 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 2012 and come into force on 1st April 2012.

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

(a) first diagnosed with mesothelioma on or after 1st April 2012; or

(b) where the date of their first diagnosis with mesothelioma is unknown, if a claim is made by that person on or after 1st April 2012.

(3) Regulation 2(b) applies only in relation to the dependant of a person who dies on or after 1st April 2012.

(1) Section 53(1) is cited for the meaning it gives to “regulations”.

(2) 2008 c. 6.

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 diagnosis, or if unknown, at date of claim</i> | <i>Payment</i> |
|--|----------------|
| | £ |
| 37 and under | 81,536 |
| 38 | 79,951 |
| 39 | 78,369 |
| 40 | 76,787 |
| 41 | 75,202 |
| 42 | 73,619 |
| 43 | 72,829 |
| 44 | 72,033 |
| 45 | 71,245 |
| 46 | 70,453 |
| 47 | 69,660 |
| 48 | 67,447 |
| 49 | 65,231 |
| 50 | 63,011 |
| 51 | 60,796 |
| 52 | 58,575 |
| 53 | 56,994 |
| 54 | 55,412 |
| 55 | 53,832 |
| 56 | 52,242 |
| 57 | 50,660 |
| 58 | 46,546 |
| 59 | 42,427 |
| 60 | 38,316 |
| 61 | 34,197 |

(3) [S.I. 2008/1963](#); relevant amending instruments are [S.I. 2010/1105](#) and [2011/1024](#).

| <i>Age of person with mesothelioma at diagnosis, or if unknown, at date of claim</i> | <i>Payment</i> |
|--|----------------|
| | <i>£</i> |
| 62 | 30,081 |
| 63 | 27,546 |
| 64 | 25,012 |
| 65 | 22,483 |
| 66 | 19,949 |
| 67 | 17,416 |
| 68 | 16,900 |
| 69 | 16,384 |
| 70 | 15,873 |
| 71 | 15,359 |
| 72 | 14,844 |
| 73 | 14,407 |
| 74 | 13,962 |
| 75 | 13,534 |
| 76 | 13,104 |
| 77 and over | 12,666” |

(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> |
| | <i>£</i> |
| 37 and under | 42,432 |
| 38 | 41,520 |
| 39 | 40,610 |
| 40 | 39,700 |
| 41 | 38,790 |
| 42 | 37,880 |
| 43 | 37,009 |
| 44 | 36,129 |
| 45 | 35,264 |

| <i>Age of person with mesothelioma at death</i> | <i>Payment</i> |
|---|----------------|
| | <i>£</i> |
| 46 | 34,394 |
| 47 | 33,525 |
| 48 | 32,455 |
| 49 | 31,386 |
| 50 | 30,318 |
| 51 | 29,253 |
| 52 | 28,186 |
| 53 | 27,309 |
| 54 | 26,441 |
| 55 | 25,570 |
| 56 | 24,695 |
| 57 | 23,827 |
| 58 | 21,417 |
| 59 | 18,999 |
| 60 | 16,586 |
| 61 | 14,170 |
| 62 | 11,753 |
| 63 | 11,064 |
| 64 | 10,379 |
| 65 | 9,676 |
| 66 | 8,986 |
| 67 and over | 7,025” |

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

Date

Name
Parliamentary Under Secretary 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 by substituting revised tables of lump sum payments payable to people with mesothelioma or to their dependants.

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