

This draft Statutory Instrument supersedes the draft of the same title which was laid before Parliament on 16 January 2020 and published on 16 January 2020 (ISBN 978-0-11-119212-2). It 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

2020 No. XXXX

SOCIAL SECURITY

The Mesothelioma Lump Sum Payments (Conditions and Amounts) (Amendment) Regulations 2020

Made - - - - *****
Coming into force - - *1st April 2020*

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, 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 2020 and come into force on 1st April 2020.

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

- (a) first diagnosed with diffuse mesothelioma on or after 1st April 2020; 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 2020.

(3) Regulation 2(b) applies only in relation to the dependant of a person who dies on or after 1st April 2020 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	93,827
38	92,003
39	90,182
40	88,362
41	86,538
42	84,716
43	83,808
44	82,892
45	81,984
46	81,072
47	80,161
48	77,615
49	75,065
50	72,510
51	69,962
52	67,405
53	65,585
54	63,766
55	61,948
56	60,117
57	58,296
58	53,561
59	48,822
60	44,092

(3) [S.I. 2008/1963](#); [S.I. 2019/369](#) 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	39,353
62	34,617
63	31,700
64	28,782
65	25,872
66	22,956
67	20,042
68	19,448
69	18,852
70	18,266
71	17,673
72	17,084
73	16,579
74	16,066
75	15,574
76	15,080
77 and over	14,578”;

(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	48,829
38	47,779
39	46,731
40	45,685
41	44,637
42	43,590
43	42,587
44	41,576
45	40,580

<i>Age of person with mesothelioma at death</i>	<i>Payment</i>
	<i>£</i>
46	39,579
47	38,579
48	37,349
49	36,116
50	34,889
51	33,663
52	32,434
53	31,426
54	30,428
55	29,426
56	28,417
57	27,418
58	24,645
59	21,862
60	19,087
61	16,307
62	13,525
63	12,731
64	11,943
65	11,135
66	10,340
67 and over	8,084”.

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 1.7 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.