



Child Maintenance and Other Payments Act 2008

2008 CHAPTER 6

PART 4

LUMP SUM PAYMENTS: MESOTHELIOMA ETC.

Mesothelioma lump sum payments

46 Lump sum payments

- (1) A claim for a payment under this Part may be made by—
 - (a) a person with diffuse mesothelioma, or
 - (b) a dependant of a person who, immediately before death, had diffuse mesothelioma.
- (2) The Secretary of State must make the payment to the claimant if satisfied that the conditions of entitlement in section 47 are fulfilled.
- (3) Regulations—
 - (a) may prescribe the amount of any payment;
 - (b) may prescribe different amounts for different cases or classes of cases or for different circumstances.
- (4) In this Part—

“dependant” has the meaning given by section 3 of the Pneumoconiosis etc. (Workers' Compensation) Act 1979 (c. 41) (“the 1979 Act”);

“diffuse mesothelioma” has the same meaning as in the 1979 Act.
- (5) Where, because of section 3(1)(b) or (d) of the 1979 Act (children, siblings etc.), a payment may be claimed by two or more persons, the payment is to be made to one of them or divided between some or all of them as the Secretary of State thinks fit.

Changes to legislation: There are currently no known outstanding effects for the Child Maintenance and Other Payments Act 2008, Section 46. (See end of Document for details)

Commencement Information

- II** S. 46 wholly in force; s. 46 not in force at Royal Assent see s. 62; s. 46(3) in force for certain purposes at 10.6.2008 and otherwise at 1.10.2008 by S.I. 2008/1476, art. 3(1)(a){(2)(a)}, Sch.

Changes to legislation:

There are currently no known outstanding effects for the Child Maintenance and Other Payments Act 2008, Section 46.