

SCHEDULES

SCHEDULE 1

RECOVERY OF BENEFITS ETC FROM PAYMENTS AND RECOVERY OF PAYMENTS

PART 1

RECOVERY OF BENEFITS ETC FROM SCHEME PAYMENTS

Recovery of benefits etc from scheme payments: England and Wales and Scotland

3 After section 8 insert—

“8A Reduction of payment under Diffuse Mesothelioma Payment Scheme

- (1) This section applies instead of section 8 in a case where the compensation payment is a payment under the Diffuse Mesothelioma Payment Scheme.
- (2) The gross amount of the compensation payment—
 - (a) is to be reduced by the amount of the recoverable benefit, and
 - (b) accordingly, is to be reduced to nil in any case where the amount of the recoverable benefit is equal to or greater than the gross amount of the compensation payment.
- (3) Any claim of a person to receive the compensation payment is to be treated for all purposes as discharged if—
 - (a) the person is paid the gross amount of the compensation payment less the amount of the recoverable benefit, or
 - (b) the amount of the recoverable benefit is equal to or greater than the gross amount of the compensation payment and the person is given a statement by the scheme administrator saying that the compensation payment has been reduced to nil.”