

2009 No. 1494

SOCIAL SECURITY

The Social Security (Recovery of Benefits) (Lump Sum Payments) (Amendment) Regulations 2009

<i>Made</i> - - - -	<i>15th June 2009</i>
<i>Laid before Parliament</i>	<i>22nd June 2009</i>
<i>Coming into force</i> - -	<i>13th July 2009</i>

The Secretary of State for Work and Pensions, in exercise of the powers conferred by section 189(4) of the Social Security Administration Act 1992(a) and section 29 of, and paragraph 4 of Schedule 1 to, the Social Security (Recovery of Benefits) Act 1997(b), makes the following Regulations.

In accordance with section 173(1)(b) of the Social Security Administration Act 1992, the Secretary of State has obtained the agreement of the Social Security Advisory Committee that proposals in respect of these Regulations need not be referred to it.

Citation and commencement

1. These Regulations may be cited as the Social Security (Recovery of Benefits) (Lump Sum Payments) (Amendment) Regulations 2009 and shall come into force on 13th July 2009.

Amendment of the Social Security (Recovery of Benefits) (Lump Sum Payments) Regulations 2008

2.—(1) The Social Security (Recovery of Benefits) (Lump Sum Payments) Regulations 2008(c) are amended as follows.

(2) In regulation 7(1) (exempted trusts and payments) after sub-paragraph (f) add—

- “(g) the UK Asbestos Trust established on 10th October 2006 for the benefit of certain persons suffering from asbestos-related diseases;
- (h) the EL Scheme Trust established on 23rd November 2006 for the benefit of certain persons suffering from asbestos-related diseases.”.

(a) 1992 c. 5. Section 189 is applied to the provisions of the Social Security (Recovery of Benefits) Act 1997 (c. 27) by section 30 of that Act.
(b) 1997 c. 27. Paragraph 4 of Schedule 1 applies to lump sum payments by virtue of subsection (4)(b) of section 1A which was inserted by section 54 of the Child Maintenance and Other Payments Act 2008 (c. 6). Section 29 is cited for the definition of the words “prescribed” and “regulations”.
(c) S.I. 2008/1596.

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

15th June 2009

William D. McKenzie
Parliamentary Under-Secretary of State,
Department for Work and Pensions

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend regulation 7 of the Social Security (Recovery of Benefits) (Lump Sum Payments) Regulations 2008 (S.I. 2008/1596). The amendment exempts certain trusts established for the benefit of sufferers of asbestos-related diseases from the lump sum compensation recovery scheme established under the Social Security (Recovery of Benefits) Act 1997 (c. 27).

A full impact assessment has not been produced for this instrument as it has no impact on the private or voluntary sectors.

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