

These notes refer to the Mesothelioma, etc., Act (Northern Ireland) 2008 (c.9) which received Royal Assent on 2 July 2008

Mesothelioma, etc., Act (Northern Ireland) 2008

EXPLANATORY NOTES

BACKGROUND AND POLICY OBJECTIVES

3. The Act makes provision for Northern Ireland corresponding to provision contained in Part 4 of the Westminster Child Maintenance and Other Payments Act (c. 6).
4. The Act makes provision to enable a lump sum payment to be made to those suffering from diffuse mesothelioma (or their dependant if the person is deceased). In effect, the scheme will mean that sufferers of diffuse mesothelioma will be eligible for a payment regardless of their employment status provided they have not already received a compensation payment through a civil claim or under specified statutory provisions. For example, a sufferer who had been exposed to asbestos from a relative's clothing would be eligible for a payment.
5. The Act also amends the Social Security (Recovery of Benefits) (Northern Ireland) Order 1997 ("the Recovery of Benefits Order") to provide the Department with the power to recover payments made under the Pneumoconiosis, etc., (Workers' Compensation) (Northern Ireland) Order 1979 ("the 1979 Order") or the new scheme, where a person then goes on to receive compensation from a civil claim.