

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

2021 No. XXXX

SOCIAL SECURITY

**The Mesothelioma Lump Sum Payments (Conditions
and Amounts) (Amendment) Regulations 2021**

Made - - - - *****
Coming into force - - *1st April 2021*

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 2021 and come into force on 1st April 2021.

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

(a) first diagnosed with diffuse mesothelioma on or after 1st April 2021; 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 2021.

(3) Regulation 2(b) applies only in relation to the dependant of a person who dies on or after 1st April 2021 and who, immediately before their death, had diffuse mesothelioma.

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)—

(1) [2008 c. 6](#).

(2) Section 53 was amended by the Welfare Reform Act 2012 (c. 5), Schedule 11, paragraph 18.

(3) [S.I. 2008/1963](#); [S.I. 2020/244](#) is the relevant amending instrument.

(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 or under | 94,296 |
| 38 | 92,463 |
| 39 | 90,633 |
| 40 | 88,804 |
| 41 | 86,971 |
| 42 | 85,140 |
| 43 | 84,227 |
| 44 | 83,306 |
| 45 | 82,394 |
| 46 | 81,477 |
| 47 | 80,562 |
| 48 | 78,003 |
| 49 | 75,440 |
| 50 | 72,873 |
| 51 | 70,312 |
| 52 | 67,742 |
| 53 | 65,913 |
| 54 | 64,085 |
| 55 | 62,258 |
| 56 | 60,418 |
| 57 | 58,587 |
| 58 | 53,829 |
| 59 | 49,066 |
| 60 | 44,312 |
| 61 | 39,550 |
| 62 | 34,790 |
| 63 | 31,859 |
| 64 | 28,926 |

| <i>Age of person with mesothelioma at first diagnosis or, if unknown, date of claim</i> | <i>Payment</i> £ |
|---|---------------------|
| 65 | 26,001 |
| 66 | 23,071 |
| 67 | 20,142 |
| 68 | 19,545 |
| 69 | 18,946 |
| 70 | 18,357 |
| 71 | 17,761 |
| 72 | 17,169 |
| 73 | 16,662 |
| 74 | 16,146 |
| 75 | 15,652 |
| 76 | 15,155 |
| 77 or over | 14,651”; |

(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 or under | 49,073 |
| 38 | 48,018 |
| 39 | 46,965 |
| 40 | 45,913 |
| 41 | 44,860 |
| 42 | 43,808 |
| 43 | 42,800 |
| 44 | 41,784 |
| 45 | 40,783 |
| 46 | 39,777 |
| 47 | 38,772 |
| 48 | 37,536 |
| 49 | 36,297 |

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument:
The Mesothelioma Lump Sum Payments (Conditions and Amounts) (Amendment) Regulations 2021 No. 270

| <i>Age of person with mesothelioma at death</i> | <i>Payment</i> |
|---|----------------|
| | <i>£</i> |
| 50 | 35,063 |
| 51 | 33,831 |
| 52 | 32,596 |
| 53 | 31,583 |
| 54 | 30,580 |
| 55 | 29,573 |
| 56 | 28,559 |
| 57 | 27,555 |
| 58 | 24,768 |
| 59 | 21,971 |
| 60 | 19,182 |
| 61 | 16,389 |
| 62 | 13,593 |
| 63 | 12,795 |
| 64 | 12,003 |
| 65 | 11,191 |
| 66 | 10,392 |
| 67 or over | 8,124”. |

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 0.5 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.