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STATUTORY INSTRUMENTS

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**2017 No. 870**

**The Social Security (Infected Blood and Thalidomide) Regulations 2017**

**Amendments to the Employment and Support Allowance Regulations 2008**

- 8.**—(1) The Employment and Support Allowance Regulations 2008(1) are amended as follows.
- (2) In regulation 2(1) (interpretation)—
- (a) in the appropriate place insert—
- ““approved blood scheme” means a scheme established or approved by the Secretary of State, or trust established with funds provided by the Secretary of State, for the purpose of providing compensation in respect of a person having been infected from contaminated blood products;”;
- (b) in the definition of “qualifying person”, after “the Scottish Infected Blood Support Scheme” insert “, an approved blood scheme”.
- (3) In each of the following provisions, after “the Scottish Infected Blood Support Scheme” insert “, an approved blood scheme”—
- (a) regulation 107(5)(a) (notional income – income due to be paid or income paid to or in respect of a third party);
- (b) regulation 112(8) (income treated as capital);
- (c) regulation 115(5)(a) (notional capital);
- (d) paragraph 19(8)(b) of Schedule 6 (housing costs);
- (e) paragraphs 22(2) and 41(1) and (7) of Schedule 8 (sums to be disregarded in the calculation of income other than earnings);
- (f) paragraphs 27(1) and (7) and 31 of Schedule 9 (capital to be disregarded).
- (4) In Schedule 6, after paragraph 19(8)(c) add—
- “(d) any payment made under or by a trust, established for the purpose of giving relief and assistance to disabled persons whose disabilities were caused by the fact that during their mother’s pregnancy she had taken a preparation containing the drug known as Thalidomide, and which is approved by the Secretary of State.”.
- (5) In Schedule 9, after paragraph 60 add—
- “**61.** Any payment made under or by a trust, established for the purpose of giving relief and assistance to disabled persons whose disabilities were caused by the fact that during their mother’s pregnancy she had taken a preparation containing the drug known as Thalidomide, and which is approved by the Secretary of State.”.