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## STATUTORY INSTRUMENTS

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# 2020 No. 103

## The Victims' Payments Regulations 2020

### PART 1

#### Preliminary

##### Citation and commencement and extent

- 1.—(1) These Regulations may be cited as the Victims' Payments Regulations 2020.
- (2) The following provisions come into force on the 24th February 2020—
- (a) regulation 1;
  - (b) regulation 3;
  - (c) Schedule 1;
  - (d) paragraph 4(1) of Schedule 2, and regulation 15(8) so far as it relates to that paragraph;
  - (e) paragraphs 1, 4 and 5 of Schedule 3, and regulation 53 so far as it relates to that paragraph.
- (3) The remaining provisions of these Regulations come into force on 29th May 2020.
- (4) Except as provided by paragraphs (5) to (7), these Regulations extend to Northern Ireland only.
- (5) Regulations 1, 2, 26, 28, 29 and 31 extend to England and Wales, Scotland and Northern Ireland.
- (6) The amendments made by paragraph 2 of Schedule 3 extend to England and Wales only.
- (7) Any other amendment made by these Regulations has the same extent as the provision it amends.

##### Commencement Information

**II** Reg. 1 in force at 24.2.2020, see reg. 1(2)(a)

##### Interpretation

- 2.—(1) In these Regulations—
- “appeal panel” means a panel appointed by the President of the Board under regulation 35(1);
  - “the Board” means the Victims' Payments Board established by regulation 3(1);
  - “the Executive Office” means the Executive Office in Northern Ireland;
  - “the data protection legislation” has the same meaning as in the Data Protection Act 2018 <sup>M1</sup> (see section 3 of that Act).
  - “degree of disablement” means the degree of disablement assessed in accordance with regulation 15 and “assessed” is to be construed accordingly;

“the deceased” has the meaning given in regulation 10(1);

“degree of relevant disablement” means—

- (a) the degree of permanent disablement, or
- (b) in a case where an interim assessment has been made, the degree of disablement of a person during an interim period;

“the Department” means the Department designated under paragraph 2(1) of Schedule 1;

“disablement” means damage, disfigurement and loss of physical or mental capacity resulting from injury, and “disabled” shall be construed accordingly;

“health care professional” means—

- (a) a registered medical practitioner;
- (b) a registered nurse;
- (c) an occupational therapist or physiotherapist registered with a regulatory body established by an Order in Council under section 60 of the Health Act 1999 <sup>M2</sup>, or
- (d) a member of such other profession regulated by a body mentioned in section 25(3) of the National Health Service Reform and Health Care Professions Act 2002 <sup>M3</sup>;

“interim assessment” has the meaning given by regulation 14(1)(b);

“interim period” has the meaning given by regulation 14(1)(a);

“legal member” means a member of the Board appointed under paragraph 3(1)(a) of Schedule 1;

“medical member” means a member of the Board appointed under paragraph 3(1)(b) of Schedule 1;

“ordinary member” means a member of the Board appointed under paragraph 3(1)(c) of Schedule 1;

“panel” means a panel appointed by the President of the Board (other than an appeal panel);

“permanent”, in relation to disablement, means where, following appropriate clinical management of adequate duration, an injury has reached a steady or stable state at maximum medical improvement;

“personal data” means data within the meaning of section 3(2) of the Data Protection Act 2018 except that it also includes data relating to a deceased individual where the data would be personal data within the meaning of that section if it related to a living individual;

“relevant incident” means a Troubles-related incident determined by a panel under regulation [F1 12(3)(b) or] 12(3)(c) to be an incident in relation to which the applicant is entitled to victims' payments;

“review panel” means a panel appointed by the President of the Board under [F2 regulation 43(3)].

(2) The Scheme established by these Regulations is to be known as the Troubles Permanent Disablement Payment Scheme.

#### Textual Amendments

**F1** Words in [reg. 2\(1\)](#) inserted (25.7.2023) by [The Victims' Payments \(Amendment\) Regulations 2023](#) (S.I. 2023/742), [regs. 1\(1\), 2\(2\)\(a\)](#)

**F2** Words in [reg. 2\(1\)](#) substituted (25.7.2023) by [The Victims' Payments \(Amendment\) Regulations 2023](#) (S.I. 2023/742), [regs. 1\(1\), 2\(2\)\(b\)](#)

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**Commencement Information**

**I2** Reg. 2 in force at 29.5.2020, see [reg. 1\(3\)](#)

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**Marginal Citations**

**M1** [2018 c. 12](#); section 3 is amended by [S.I. 2019/419](#).

**M2** [1999 c. 8](#); there are amendments to section 60 not relevant to these Regulations.

**M3** [2002 c. 17](#); relevant amendments to section 25(3) were made by paragraph 17(2) and (3) of Schedule 10 to the [Health and Social Care Act 2008 \(c. 14\)](#), paragraph 56(b) of Schedule 15 to the [Health and Social Care Act 2012 \(c. 7\)](#) and [SI 2010/231](#).

**Changes to legislation:**

There are currently no known outstanding effects for the The Victims' Payments Regulations 2020, PART 1.