

2023 No. 742

PAYMENT SCHEME

DISABLED PERSONS

The Victims' Payments (Amendment) Regulations 2023

<i>Made</i> - - - -	<i>3rd July 2023</i>
<i>Laid before Parliament</i>	<i>4th July 2023</i>
<i>Coming into force</i> - -	<i>25th July 2023</i>

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 10 and 11 of the Northern Ireland (Executive Formation etc) Act 2019(a).

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Victims' Payments (Amendment) Regulations 2023 and come into force on 25th July 2023.

(2) These Regulations extend to Northern Ireland only, subject as follows.

(3) Regulation 2(2) extends to England and Wales, Scotland and Northern Ireland.

Amendment of the Victims' Payments Regulations 2020

2.—(1) The Victims' Payments Regulations 2020(b) are amended as follows.

(2) In regulation 2(1) (interpretation)—

(a) in the definition of “relevant incident”, after “regulation” insert “12(3)(b) or”;

(b) in the definition of “review panel”, for “regulation 43(3)” substitute “regulation 43(3)”.

(3) In regulation 7(2) (definitions relating to causation of injury) for “responding to a relevant incident” substitute “responding, in the course of employment, to a Troubles-related incident”.

(4) In regulation 8(4) (applications outside period), for “circumstances” substitute “circumstance”.

(5) In regulation 10(9) (notifications in cases of multiple posthumous applications), for “under paragraph (4)(” substitute “under paragraph (4)”.

(6) In regulation 14(2) (maximum interim period), for “paragraph (5) and (6)”, substitute “paragraphs (5) and (6)”.

(7) In regulation 16(1)(b) (assessment of degree of disablement: posthumous applications), omit “is” in the second place it occurs.

(a) 2019 c. 22.
(b) S.I. 2020/103.

(8) In regulation 20(3) (adjustment in respect of past compensation), for “that Board” substitute “it”.

(9) In regulation 24 (lump sums) for paragraph (4) substitute—

“(4) Subject to paragraph (5), in the case of a person to whom paragraph (1)(a) or (b) applies, the lump sum is the amount of victims’ payments that would be payable to the person in the period of ten years beginning with the date of the application to receive a lump sum.”.

(10) In regulation 34(4) (appeals: time period where previous review), for “paragraph (3)(a)” substitute “paragraph (2)(a)”.

(11) In regulation 38(1)(d) (remedies), for “Regulation” substitute “Regulations”.

(12) In regulation 39 (hearings)—

(a) in paragraph (6), for “paragraph (4)” substitute “paragraph (5)”;

(b) in paragraph (7), for “paragraph (1)” substitute “paragraph (5)”;

(c) in paragraph (8), for “clam” substitute “claim”.

(13) In regulation 43(4)(a) (composition of review panel), for “appeal” in both places it occurs substitute “review”.

(14) In Schedule 1 (the Board)—

(a) in paragraph 10(b) (authentication of seal), for “paragraph 5(4)” substitute “sub-paragraph 4(5)”;

(b) in paragraph 12(2) (constitution of panels for certain decisions etc.), for “paragraph (1)(b)” substitute “sub-paragraph (1)(b)”;

(c) in paragraph 12(3) (appointment of further panel members)—

(i) for “paragraph (1)(a)” substitute “sub-paragraph (1)(a)”;

(ii) for “paragraph (1)(b)” substitute “sub-paragraph (1)(b)”.

(d) in paragraph 14(3)(a) (annual report: meaning of financial year), for “section 1” substitute “regulation 3(1)”.

(15) In Schedule 2 (assessment of disablement)—

(a) in paragraph 1(5) (assessment of degree of disablement: increase or reduction of degree of disablement), for “paragraph (4)” substitute “sub-paragraph (4)”;

(b) in paragraph 1(6) (assessment of degree of disablement: record of the reason for increase or decrease), for “sub-paragraph (6)” substitute “sub-paragraph (5)”;

(c) in paragraph 3(2) (expression of degree of disablement), for “paragraph (3)” substitute “sub-paragraph (3)”;

(d) in paragraph 4(2) (guidance: regard to be had by health care professional), for “paragraph (1)” substitute “sub-paragraph (1)”.

Steve Baker
Minister of State
Northern Ireland Office

3rd July 2023

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make a number of minor and technical amendments to the Victims’ Payments Regulations 2020 (S.I. 2020/103), which established the Troubles Permanent Disablement Scheme under the law of Northern Ireland.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private or voluntary sector, or community bodies is foreseen.

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