

SCHEDULE

Amendments to the Social Security (Recovery of Benefits) (Lump Sum Payments) Regulations 2008

16.—(1) Schedule 1 (which modifies certain provisions of the Social Security (Recovery of Benefits) Act 1997 (“the 1997 Act”) in their application to recovery of lump sum payments) is amended as follows.

(2) In paragraph 1 after “regulation 4” insert “or 4A”.

(3) In paragraph 4 (which modifies section 11 of the 1997 Act)⁽¹⁾—

(a) in sub-paragraphs (c)(i) and (d)(i), for “lump sum payments” substitute “recoverable lump sum payments”;

(b) in sub-paragraph (g), after “section 8” insert “or 8A” and after “regulation 12” insert “or 12A”.

(4) In paragraph 6 (which modifies section 13 of the 1997 Act)⁽²⁾, for the words from “as if in” to the end, substitute—

“as if in subsection (2)—

(a) in paragraph (b), there were omitted “of recoverable benefits”;

(b) in paragraph (bb), for “section 7(2)(a)” there were substituted “regulation 11(2)(a) of the Lump Sum Payments Regulations”;

(c) in paragraph (c), for “section 8 or 8A) the injured person” there were substituted “regulation 12 or 12A of the Lump Sum Payments Regulations) P.”.

(5) In paragraph 7 (which modifies section 14 of the 1997 Act), in sub-paragraph (c), after “section 8” insert “or 8A” and after “regulation 12” insert “or 12A”.

(6) In paragraph 11 (which modifies section 19 of the 1997 Act), in sub-paragraph (c)(ii), after “section 8” insert “or 8A” and after “regulation 12” insert “or 12A”.

(7) In paragraph 12 (which modifies section 20 of the 1997 Act), in sub-paragraph (b), after “section 8” insert “or 8A” and after “regulation 12” insert “or 12A”.

(8) In paragraph 13 (which modifies section 21 of the 1997 Act), in sub-paragraph (a), after “sections 6 and 8” insert “or 8A” and after “regulations 10 and 12” insert “or 12A”.

(9) In paragraph 15 (which modifies section 23 of the 1997 Act)—

(a) after sub-paragraph (b) insert—

“(ba) after subsection (1)(b) there were inserted—

“,and

(c) where the compensation which is sought is a payment under the Diffuse Mesothelioma Payment Scheme, subsection (6A) applies.”;

(b) in sub-paragraph (c), in the text substituted for subsection (2)—

(i) the words from “the prescribed information” to the end become paragraph (a) of subsection (2); and

(ii) after paragraph (a) insert—

“(b) the prescribed information about any lump sum payment which falls within section 1A(2)(d) must be given to the Secretary of State by the scheme administrator.”.

⁽¹⁾ Section 11(2) is amended by paragraph 5 of Schedule 1 to the Mesothelioma Act 2014.

⁽²⁾ Section 13(2) was amended by paragraph 6 of Schedule 1 to the Mesothelioma Act 2014.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(10) In paragraph 18 (which modifies section 29 of the 1997 Act)(3), in sub-paragraph (b)(iii), after “regulation 4” insert “or 4A”.

(3) A definition of “scheme administrator” was inserted into section 29 by paragraph 7 of Schedule 1 to the Mesothelioma Act 2014.