

2014 No. 459 (C. 21)

PAYMENT SCHEME

The Mesothelioma Act 2014 (Commencement No.1) Order 2014

Made - - - -

3rd March 2014

The Secretary of State, in exercise of the power conferred by section 19(1) of the Mesothelioma Act 2014(a), makes the following Order:

Citation and interpretation

1.—(1) This Order may be cited as the Mesothelioma Act 2014 (Commencement No.1) Order 2014.

(2) In this Order “the Act” means the Mesothelioma Act 2014.

Provisions of the Act relating to scheme administration

2. The day after the day on which this Order is made is the day appointed for the coming into force of section 7 of the Act.

Provisions of the Act coming into force on 31st March 2014

3. 31st March 2014 is the day appointed for the coming into force of the following provisions of the Act—

- (a) sections 1 to 6;
- (b) sections 8 to 10;
- (c) section 11 and Schedule 1;
- (d) section 12 and Schedule 2;
- (e) section 14;
- (f) sections 17 and 18.

Provision of the Act coming into force on 1st September 2014

4. 1st September 2014 is the day appointed for the coming into force of section 13 of the Act.

Signed by the authority of the Secretary of State for Work and Pensions

3rd March 2014

Mike Penning
Minister of State
Department for Work and Pensions

EXPLANATORY NOTE

(This note is not part of the Order)

This Order commences certain provisions of the Mesothelioma Act 2014 (“the Act”).

Article 2 commences section 7 of the Act so as to enable the Secretary of State to make arrangements with a body to administer the Diffuse Mesothelioma Payments Scheme (“the Scheme”) established by regulations made under section 1 and section 17(4) of the Act. Those arrangements need to be in place before the Scheme starts formally receiving applications.

Article 3 brings provisions of the Act into force on 31st March 2014.

Article 3(a) commences sections 1 to 6 of the Act which relate to the establishment of and eligibility for the Scheme as well as the administration of the Scheme and payments under the Scheme.

Article 3(b) commences sections 8 to 10 of the Act which relate to various matters connected to the operation of the Scheme: unauthorised disclosure of information (sections 8 and 9) and the power of the scheme administrator to help people bring proceedings (section 10). Article 3(c) and (d) commence sections 11 and 12 along with their respective Schedules 1 and 2 which relate to provisions for the recovery of social security benefits and the affect of a scheme payment on eligibility for certain lump sum social security benefits where those benefits would be paid in respect of diffuse mesothelioma.

Article 3(e) commences section 14 of the Act which enables the Secretary of State to collect information from active insurers for the purpose of working out how much different insurers should be required to pay towards the levy.

Article 3(f) commences section 17 (regulations) and section 18 (defined terms) of the Act.

Article 4 commences on the 1st September 2014 section 13 of the Act which creates the power to require active insurers (as defined in section 13 of the Act) to pay a levy.