

CAPITAL DISREGARD FOR INFECTED BLOOD COMPENSATION PAYMENTS

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INTRODUCTION

1. This memo gives guidance on the Social Security (Infected Blood Capital Disregard) (Amendment) Regulations (Northern Ireland) 2023¹ [SS (IB Dis) (Amdt) Regs (NI) 23], SR 2023 No. 118. The changes came into operation on 30.8.23.

1 SS (IB Dis) (Amdt) Regs (NI) 23, reg 1

BACKGROUND

2. These regulations¹ create a new capital disregard to allow a son, daughter, step-son or step-daughter to receive an interim infected blood compensation payment from their deceased parent's estate without it affecting their means-tested benefit entitlement.

1 SS (IB Dis) (Amdt) Regs (NI) 23

3. The disregard applies to payments derived from a payment made from an approved blood scheme, or the Scottish Infected Blood Support scheme, which is to meet the recommendation of the Infected Blood Inquiry in its interim report

published on 29th July 2022. That report recommended that an interim payment should be made to all those infected from contaminated blood or blood products and all bereaved partners registered on United Kingdom infected blood support schemes and those who register before the inception of any future scheme. Where an infected person or their bereaved partner registered with such a scheme but died before the interim payment could be made, it will be paid to their estate.

CAPITAL DISREGARDS

4. These regulations¹ provide that for

1. working age Housing Benefit²
2. pension age Housing Benefit³

any payment out of the estate of a person which derives from a payment which is to meet the recommendation of the Infected Blood Inquiry in its interim report published on 29 July 2022 made to the estate under or by

1. an approved blood scheme **or**
2. the Scottish Infected Blood Support Scheme

to the person's son, daughter, step-son or step-daughter is disregarded indefinitely.

1 SS (IB Dis) (Amdt) Regs (NI) 23; 2 HB Regs (NI) 06, Sch 7, para 25(5A);

3 HB (SPC) Regs (NI) 06, Sch 7, para 16(5A)

CONTACTS

If you have any queries about this memo, please contact:

Decision Making Services

Section 7

Level 8

Causeway Exchange

1-7 Bedford Street

Belfast

BT2 7EG

Ext. 38069, 37908 and 38420

DECISION MAKING SERVICES

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