

08-23 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 2023¹ [SS (IB Dis)(Amdt) Regs 2023], SI 2023/894. The changes take effect from 30.8.23.

[1 SI 2023/894](#)

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 2023](#)

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 UK 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. IS²
2. JSA(IB)³
3. ESA(IR)⁴
4. SPC⁵

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 2023; 2023/894](#); 2 [IS \(Gen\) Regs 1987, Sch 10, para 22\(5\)](#);

3 [JSA Regs 1996, Sch 8, para 27\(5\)](#); 4 [ESA Regs 2008, Sch 9, para 27\(5\)](#);

5 [SPC Regs 2002, Sch 5, para 15\(5\)](#)

Annotations

Please annotate the number of this memo (Memo DMG) against the following DMG paragraph: [29446](#), [52447](#), [84475](#)

contacts

If you have any queries about this memo, please write to Decision Making and Appeals (DMA) Leeds, 3E zone E, Quarry House, Leeds. Existing arrangements for such referrals should be followed, as set out in – Memo [7/19](#) Requesting case guidance from DMA Leeds for all benefits.

DMA Leeds: August
2023

