

# 15-23 UC – Clarification of capital disregard for Infected Blood & Variant Creutzfeldt-Jacob Disease

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## Introduction

1. This memo gives guidance on the Social Security (Infected Blood Capital Disregard) (Amendment) Regulations 2023<sup>1</sup> [SS (IB Dis)(Amdt) Regs 2023], SI 2023/894. The changes take effect from 30.8.23.

[1 SI 2023 No.894](#)

## BACKGROUND

2. These regulations<sup>1</sup> clarify the disregards that apply where a payment is made by a scheme or trust to provide compensation in respect of a person having been
  1. diagnosed with variant Creutzfeldt-Jacob disease **or**
  2. infected from contaminated blood products<sup>2</sup>

[1 SS \(IB Dis\)\(Amdt\) Regs 2023](#); [2 SS \(IB Dis\)\(Amdt\) Regs 2023, reg 3](#)

## CAPITAL DISREGARDS

- 3** Where a claim for UC is made from a person other than a person diagnosed with variant Creutzfeldt-Jacob disease or infected from contaminated blood or blood products, a payment

1. from a scheme established or approved by the Secretary of State **or**
2. from a trust established with funds provided by the Secretary of State to provide compensation for having been so diagnosed or infected **or**
3. which derives from such a payment

is disregarded in any of the circumstances in which it would be disregarded in relation to an award of SPC<sup>1</sup>.

**Note:** See paragraph DMG 84426 et seq and DMG 84462 et seq for guidance on disregard in SPC.

1 [UC Regs, reg 76\(3\); SPC Regs, Sch V, paras 13&15](#)

## **Annotations**

Please annotate the number of this memo (Memo ADM 15/23) against the following ADM paragraph: [H2052](#)

## **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