This Statutory Instrument has, in part, been laid in consequence of defects in S.I. 2025/404 and is being issued free of charge to all known recipients of that Statutory Instrument.

STATUTORY INSTRUMENTS

2025 No. 1358

PAYMENT SCHEME

The Infected Blood Compensation Scheme (Amendment) Regulations 2025

Made - - - -	*16th December 2025*
Coming into force - -	*31st December 2025*

The Minister for the Cabinet Office makes these Regulations in exercise of the powers conferred by sections 49(1), (2) and (4), 50 and 79(1) of the Victims and Prisoners Act 2024(**a**).

In accordance with section 79(10) of the Victims and Prisoners Act 2024, a draft of this instrument was laid before Parliament and approved by a resolution of each House of Parliament.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Infected Blood Compensation Scheme (Amendment) Regulations 2025.

(2) These Regulations come into force on 31st December 2025.

(3) These Regulations extend to England and Wales, Scotland and Northern Ireland.

Amendment of the Infected Blood Compensation Scheme Regulations 2025

2. The Infected Blood Compensation Scheme Regulations 2025(**b**) are amended in accordance with regulations 3 to 14.

Amendments relating to the eligibility of infected persons and the calculation of associated awards

3.—(1) In regulation 2 (interpretation), in paragraph (1), after the definition of "first year of infection" insert—

> ""first year of P's compensation period", in relation to an eligible infected person ("P"), means the later of—
>
> (a) 1952,
>
> (b) P's first year of infection, or

(**a**) 2024 c. 21. See section 50(6) for the meaning of "specified".
(**b**) S.I. 2025/404.

(c) where P is an eligible infected person by virtue of regulation 3(7)(a), the year in which P began living with the person to whom regulation 3(2) or (6) applies;

"first year of Q's compensation period", in relation to an eligible affected person ("Q"), means the later of—

(a) 1952, or

(b) the year immediately following—

(i) where regulation 53(4) or 57(3) applies to Q, the year in which P2 died (for the meaning of "P2", see regulation 53(11) or, as the case may be, 57(5));

(ii) in any other case, the year in which P died (for the meaning of "P", see regulation 53(1) or as the case may be, 57(1));".

(2) In regulation 3 (meaning of "eligible infected person")—

(a) in paragraph (1), after "paragraph" insert "(1A),";

(b) after paragraph (1) insert—

"(1A) This paragraph applies to a person who is, or immediately before they died was, an infected SSP recipient.";

(c) in paragraph (2)(c), for "during the period" substitute "at a time";

(d) in paragraph (4)—

(i) in the opening words—

(aa) for "period" substitute "times";

(bb) for "is" substitute "are";

(ii) in sub-paragraph (a), for "1st January 1982 to" substitute "any time before";

(iii) in sub-paragraph (b), for "1st January 1952 to 1st September 1991" substitute "any time during the period which begins with 1st January 1952 and ends with 1st September 1991";

(iv) in sub-paragraph (c), for "1st January 1952 to 1st December 1972" substitute "any time during the period which begins with 1st January 1952 and ends with 1st December 1972";

(e) in paragraph (6)(c), for "period" substitute "time";

(f) in paragraph (7)—

(i) for "paragraph (2)", in each place it occurs, substitute "paragraph (1A), (2)";

(ii) in the opening words, after "or (6) applies" insert "(but see paragraph (7A))";

(g) after paragraph (7) insert—

"(7A) For the purposes of determining whether paragraph (7) applies to a person ("A"), a person ("B") is to be treated as a person to whom paragraph (2) or (6) applies if—

(a) A has been diagnosed with the infection specified in regulation 3(3)(c), and

(b) the only reason that paragraph (2) or (6) does not apply to B is that neither of the conditions described in paragraph (3)(c)(i) and (ii) is met.";

(h) in paragraph (10)—

(i) in the definition of "infected blood treatment", at the end insert ", but does not include treatment consisting of a tissue transplant where the tissue was infected

with HIV, Hepatitis B or Hepatitis C and, before the treatment, the recipient had been notified of the infection";

(ii) in the definition of "long-term relationship", in paragraph (b)(ii)—

(aa) for "that time," substitute "that or any subsequent time";

(bb) after "other person" insert "at the same time".

(3) In each of the following places, for "P's first year of infection" substitute "the first year of P's compensation period"—

(a) in regulation 7 (determining the "past amount" and "future amount" of certain awards), paragraph (4)(c)(i) and (d)(i);

(b) in regulation 20 (additional financial loss (core) award), paragraphs (4)(a)(i) and (b)(i) and (9)(a);

(c) in regulation 34 (excess past care costs), in paragraph (3), in the definition of "the relevant period", paragraph (a).

(4) In regulation 20, in each of paragraphs (2) and (9), for "each year of P's infection" substitute "each year of P's compensation period".

(5) In regulation 21 (care (core) award)—

(a) in each of paragraphs (4) and (5), for "P's period of infection was" substitute "P's compensation period is";

(b) in paragraph (6)(a) to (c), for "P's infection", in each place it occurs, substitute "P's compensation period";

(c) in paragraph (7), for "P's infection", in each place it occurs, substitute "P's compensation period";

(d) in paragraph (9), for the definition of "P's period of infection" substitute—

""P's compensation period" means the period beginning with the first year of P's compensation period and ending with the year in which P died;".

(6) In each of the following places, for "year immediately following the year in which P died" substitute "first year of Q's compensation period"—

(a) in regulation 53 (affected financial loss award), paragraphs (5)(a) and (6)(a);

(b) in regulation 54 (past affected financial loss award), paragraph (3)(a)(i);

(c) in regulation 58 (amount of the affected supplemental payment), paragraph (2)(a)(i).

(7) In each of the following places, for "year immediately following the year in which P2 died" substitute "first year of Q's compensation period"—

(a) in regulation 53, paragraph (7)(a);

(b) in regulation 58, paragraph (2)(c)(i).

Amendments relating to the eligibility of affected persons

4.—(1) In regulation 2, in paragraph (1), in the definition of "relevant date", in paragraph (b)—

(a) for sub-paragraph (i) substitute—

"(i) where either (but not both) of Q or the eligible infected person in respect of whom Q is an eligible affected person ("P") is deceased on the date of Q's affected core application, the date that person died;";

(b) after sub-paragraph (i) insert—

"(ia) where both of Q and P are deceased on the date of Q's affected core application, the date of death of the first of them to die;".

(2) In regulation 4 (meaning of "eligible affected person")—

(a) in paragraph (1)—

(i) in the opening words, omit "they are not deceased, and";

(ii) after the opening words insert—

"(za) they—

(i) are not deceased, or

(ii) died during the period which begins on 21st May 2024 and ends on 31st March 2031,";

(b) after paragraph (1) insert—

"(1A) A person is also an eligible affected person if—

(a) they fall within paragraph (1)(za), and

(b) they are, or immediately before they died were, an affected SSP recipient.";

(c) in paragraph (2), in the definition of "partner of an eligible infected person", after the opening words insert—

"(za) a person who is an eligible affected person by virtue of paragraph (1A),".

(3) In regulation 48 (applications for affected core payments)—

(a) in paragraph (4), after sub-paragraph (c) insert—

"(ca) if A is deceased on the date of the application, the date of A's death,";

(b) in paragraph (5)(b), after "A is" insert ", or immediately before death was,";

(c) in paragraph (7), at the end insert " or, where A is deceased, A's personal representative";

(d) in paragraph (8), in sub-paragraph (a), after "on behalf of A" insert "or, where A is deceased, A's personal representative".

(4) In regulation 53—

(a) in paragraph (5), for sub-paragraph (b) substitute—

"(b) which ends with—

(i) the year in which P was expected to attain the age of their healthy life expectancy, or

(ii) if Q died before that year, the year in which Q died.";

(b) in paragraph (6), for sub-paragraph (b) substitute—

"(b) which ends with—

(i) the year in which Q attains the age of 18, or

(ii) if Q died before that year, the year in which Q died.";

(c) in paragraph (7), for sub-paragraph (b) substitute—

"(b) ending with—

(i) the year in which Q attains the age of 18, or

(ii) if Q died before that year, the year in which Q died.".

(5) In regulation 58—

(a) in paragraph (2)—

(i) in sub-paragraph (a)(ii), at the beginning insert "subject to paragraph (2A),";

(ii) in sub-paragraph (c)(ii), at the beginning insert "subject to paragraph (2A),";

(b) after paragraph (2) insert—

"(2A) If Q died before the year which would otherwise be the end of a period as described in paragraph (2)(a)(ii) or (c)(ii), then the period instead ends with the year in which Q died.".

(6) In regulation 76 (requirement to make an IBCS payment), in paragraph (7)(b)—

(a) omit the "or" at the end of paragraph (i);

(b) for paragraph (ii) substitute—

"(ii) the IBCA is notified that R has died, or";

(c) after paragraph (ii) insert—

"(iii) it appears to the IBCA that no affected core application may be made to establish that N is an eligible affected person in relation to R.".

Amendments relating to payments in respect of persons lacking capacity

5. In regulation 5 (meaning of "relevant person")—

(a) in paragraph (1)—

(i) for "specified activity", in each place it occurs, substitute "non-payment activity";

(ii) in sub-paragraph (b)(i), at the end insert "which authorises the relevant person to undertake the non-payment activity";

(b) after paragraph (1) insert—

"(1A) In relation to a person ("E") in respect of whom a payment activity is to be undertaken, the relevant person is E unless on the date the payment activity is undertaken—

(a) E is under the relevant age, in which case the relevant person is a person with parental responsibility for E;

(b) E is deceased, in which case the relevant person is E's personal representative.";

(c) in paragraph (2)—

(i) in the opening words, for "paragraph (1)" substitute "this regulation";

(ii) after the opening words insert—

""non-payment activity" means any step or decision, other than a payment activity, pursuant to these Regulations;

"payment activity" means the making of a payment, or the requiring of a repayment, pursuant to these Regulations;";

(iii) omit the definition of "specified activity";

(d) in paragraph (4), after "(1)(c)" insert "and (1A)(b)".

Amendments relating to evidence about the date of diagnosis of Hepatitis infections

6.—(1) In regulation 14 (applications for infected core payments), in paragraph (2), for sub-paragraph (c) substitute—

"(c) where P is infected with HIV, the date on which their diagnosis of that infection was given,".

(2) In regulation 42 (applications for further infected core payments), in paragraph (3)(a)(iii), at the beginning insert "where P's new infection is HIV,".

(3) In regulation 45 (applications for further infected supplemental payments), in paragraph (3)(a)(iii), at the beginning insert "where P's new infection is HIV,".

Amendments relating to deeming the severity of Hepatitis infections

7. In regulation 20—

(a) in paragraph (6)(b)(ii), at the end insert "(and each such year is a "deemed year")";

(b) for paragraph (7) substitute—

"(7) For the purposes of paragraph (6)(b)(ii), where on the relevant date the severity of P's infection is—

(a) level 2, the severity of P's infection for each deemed year is level 2;

(b) level 3, the severity of P's infection is—

(i) level 3 for each deemed year which falls within the 6-year period which ends with the final year;

(ii) level 2 for every other deemed year;

(c) level 4, the severity of P's infection is—

(i) level 4 for each deemed year which falls within the 4-year period which ends with the final year;

(ii) level 3 for each deemed year which falls within the 6-year period which ends with the year immediately before the earliest year for which the severity of P's infection is level 4 (whether that year is a deemed year or not);

(iii) level 2 for every other deemed year.".

Amendment to avoid double compensation for end-of-life care

8. In regulation 21 (care (core) award), for paragraph (2) substitute—

"(2) Where P is deceased, did not have a Hepatitis C infection of level 4 or HIV, and—

(a) had a single infection of Hepatitis B of level 5, the amount of the care (core) award in relation to P is £41,188.49;

(b) had a co-infection of Hepatitis B of level 5 and Hepatitis C of level 2 or 3, the amount of the care (core) award in relation to P is the sum of—

(i) £41,188.49, and

(ii) the amount of the care (core) award that would be determined in relation to P in accordance with whichever of paragraph (4) or (6) applies to P.".

Amendments relating to the minimum earnings required for persons to qualify for exceptional loss award

9.—(1) In regulation 33 (exceptional reduced earnings), in paragraph (1)—

(a) in sub-paragraph (a)(ii), at the end, omit "and";

(b) omit sub-paragraph (b).

(2) In regulation 37 (financial loss (PAYE earnings) award), in paragraph (10), for the table substitute—

"*P's age on first suffering exceptional reduced PAYE earnings*	*Percentile of P's pre-reduction PAYE earnings determined in accordance with step 1 of paragraph (9)*								
	10	*20*	*30*	*40*	*50*	*60*	*70*	*80*	*90*
18 to 21	1.82	1.67	1.63	1.65	1.7	1.8	1.88	1.99	2.26
22 to 29	1.09	1.12	1.15	1.19	1.24	1.27	1.3	1.35	1.45
30 to 39	1	1	1	1	1.01	1.02	1.04	1.05	1.09
40 or older	1	1	1	1	1	1	1	1	1".

Amendments relating to the delayed transfer of IBSS payment functions to the IBCA

10.—(1) In regulation 59 (IBCA support scheme payments: general), in paragraph (5)—

(a) in sub-paragraph (a), in each of paragraphs (i), (ii), (iii) and (iv), for "2026" substitute "2027";

(b) in sub-paragraph (b) for "2025" substitute "2026".

(2) In regulation 60 (amount, and payment, of an IBCA support scheme payment), in paragraph (6), for "2025" substitute "2026".

Amendments relating to support scheme payments for recently bereaved partners

11.—(1) In regulation 59, after paragraph (4) insert—

"(4A) For the purposes of this Part, an IBSS-registered affected person ("A") is in a recent bereavement period during the 12-month period beginning with the calendar month after the month in which the person in respect of whom A is an IBSS-registered affected person died.".

(2) In regulation 60—

(a) in paragraph (4)(a)—

(i) in paragraph (ii), after "where E is an IBSS-registered affected person" insert "who is, on the IBSS transfer date, not in a recent bereavement period";

(ii) after paragraph (ii) insert—

"(iii) where E is an IBSS-registered affected person who is, on the IBSS transfer date, in a recent bereavement period, the amount determined in accordance with paragraph (4A).";

(b) after paragraph (4) insert—

"(4A) Where E is an IBSS-registered affected person who is, on the IBSS transfer date, in a recent bereavement period, the IBSS category amount is the sum of—

(a) (B ÷ 12) × M, where—

(i) "B" is the amount specified in column 3 of the table in regulation 62 for the IBSS payment category which applied on 31st March 2025 to the person ("A") in relation to whom E is an IBSS-registered affected person or would have applied to A on that date;

(ii) "M" is the number of months during the IBSS transfer year during which E is in a recent bereavement period, and

(b) ((B ÷ 12) × 0.75) × N, where—

(i) "B" has the meaning given in sub-paragraph (a)(i);

(ii) "N" is the number of months during the IBSS transfer year in which E is not in a recent bereavement period.".

(3) In regulation 63 (the IBSS amount: IBSS-registered affected persons)—

(a) in paragraph (1), for "paragraph (3)" substitute "paragraphs (2A) and (3)";

(b) after paragraph (2) insert—

"(2A) Subject to paragraph (3), where, at the beginning of a year during the Part 5 period other than the IBSS transfer year, A is in a recent bereavement period, the IBSS amount is the sum of—

(a) (B ÷ 12) × M, where—

(i) "B" is A's relevant IBSS category amount;

(ii) "M" is the number of months during the year during which E is in a recent bereavement period, and

(b) ((B ÷ 12) × 0.75) × N, where—

(i) "B" is A's relevant IBSS category amount;

(ii) "N" is the number of months during the year during which E is not in a recent bereavement period.";

(c) in paragraph (3), in the closing words, after "paragraph (1)" insert "or (2A)".

Amendments relating to the early payment of deferred compensation

12.—(1) In regulation 78 (making an IBCS payment where an eligible person dies)—

(a) for the heading substitute "Early payment of an IBCS payment being paid periodically";

(b) for paragraph (2) substitute—

"(2) Where—

(a) an IBCS payment in relation to an eligible person ("E") is being paid, or is to be paid, as periodic payments in accordance with regulation 77, and

(b) before the end of the term of payment, either—

(i) the IBCA is notified that E has died, or

(ii) the relevant person has provided written notice to the IBCA that the remaining amount of the IBCS payment is no longer to be paid as periodic payments,

the IBCA must pay the relevant amount to the relevant person and, for the purposes of regulation 77, the term of payment is to be treated as having ended when such payment is made.";

(c) for paragraph (3) substitute—

"(3) In this regulation—

"relevant amount" means—

(a) where paragraph (2)(b)(i) applies, the remaining amount of the IBCS payment;

(b) where paragraph (2)(b)(ii) applies, the greater of £0 or A − B, where—

(i) "A" is the sum of each of E's IBCS payments in respect of which the relevant person made a periodic payment election (disregarding any reduction, increase or compounding of the amounts of such payments by virtue of regulation 77(1));

(ii) "B" is the sum of all periodic payments made in respect of those IBCS payments pursuant to regulation 77;

"remaining amount of the IBCS payment" and "term of payment" have the meaning given in regulation 77(6).".

(2) In regulation 79 (payment of future financial loss and care awards where an infected SSP recipient dies)—

(a) in the heading, for "infected SSP recipient" substitute "SSP recipient";

(b) for paragraph (1) substitute—

"(1) Where the IBCA is notified that an infected SSP recipient or an affected SSP recipient ("E") has died, the IBCA must determine which is the greater of—

(a) E's future loss (see paragraph (1A)), or

(b) E's post-implementation support scheme amount (see paragraph (1B)).";

(c) after paragraph (1) insert—

"(1A) For the purposes of paragraph (1)(a), E's future loss is, where E was immediately before they died—

(a) an infected SSP recipient, the sum of the future amounts (see regulation 7(3)) of each award mentioned in paragraph (2) determined in relation to E;

(b) an affected SSP recipient, the sum of the future amounts determined in accordance with paragraphs (2A) to (2C),

as those future amounts are to be treated as compounded in accordance with paragraph (4).

(1B) For the purposes of paragraph (1)(b), E's post-implementation support scheme amount is the sum of all support scheme payments made in relation to any period after 31st March 2025 to E, or to a person on behalf of E, by virtue of, where E was immediately before they died—

(a) an infected SSP recipient, an infection of E;

(b) an affected SSP recipient, E being a bereaved partner of a person infected with HIV or Hepatitis C (or both).";

(d) in paragraph (2), in the opening words, for "(1)(a)" substitute "(1A)(a)";

(e) after paragraph (2) insert—

"(2A) The future amounts referred to in paragraph (1A)(b) are a future amount (determined in accordance with paragraph (2B)) for each year of the period which—

(a) begins with 2025, and

(b) ends with the year in which the person in respect of whom E is an affected SSP recipient attained, or was expected to attain, the age of their healthy life expectancy.

(2B) The future amount for a year is—

(a) for 2025, the difference between—

(i) the final year amount that was determined in relation to E in accordance with regulation 54(5), and

(ii) E's non-support scheme annual amount for 2025;

(b) for any later year, E's non-support scheme annual amount for that year.

(2C) In paragraph (2B), "E's non-support scheme annual amount", in relation to a year, means the amount that would have been determined in relation to E for that year in accordance with regulation 53 if E's affected core payment had included an amount by way of an affected financial loss award under that regulation.";

(f) in paragraph (3), for "P's" substitute "E's";

(g) for paragraph (4) substitute—

"(4) Each future amount mentioned in paragraph (1A) is to be treated as if it had been, at the beginning of each April during the period—

(a) beginning with—

(i) where E is an infected SSP recipient, the month in which the IBCS payment which comprised the award became payable (but if the IBCS payment became payable in April, that April is to be disregarded);

(ii) where E is an affected SSP recipient, the month in which E's affected core payment became payable (but if the affected core payment became payable in April, that April is to be disregarded), and

(b) ending with the date of E's death,

compounded by the consumer price index over the 12-month period ending with the September before that April.".

(3) After regulation 79 insert—

"Payment of future financial loss and care awards where an eligible SSP recipient opts out of support scheme payments

79A.—(1) This regulation applies where—

(a) the relevant person has provided written notice to the IBCA that an infected SSP recipient or an affected SSP recipient ("E") is no longer to be treated as an infected SSP recipient or (as the case may be) an affected SSP recipient, and

(b) where E was receiving support scheme payments by virtue of—

(i) being registered under an infected blood support scheme, the IBCA is satisfied that the person is no longer registered under an infected blood support scheme, or

(ii) Part 5, such payments are no longer payable in relation to P in accordance with regulation 59(3)(a).

(2) Where this regulation applies, the IBCA must determine which is the greater of—

(a) the sum of—

(i) where E was an infected SSP recipient, the future amounts (see regulation 7(3)) of each award mentioned in regulation 79(2) determined in relation to E;

(ii) where E was an affected SSP recipient, the future amounts determined in accordance with regulation 79(2A) to (2C), or

(b) the sum of all support scheme payments made in relation to any period after 31st March 2025 to E, or to a person on behalf of E, by virtue of, where E was—

(i) an infected SSP recipient, an infection of E;

(ii) an affected SSP recipient, E being a bereaved partner of a person infected with HIV or Hepatitis C (or both).

(3) Where the amount described in paragraph (2)(a) is greater than the amount described in paragraph (2)(b), the IBCA must pay an amount equal to the difference between those amounts to the relevant person.".

Amendment to remove the requirement that secondary psychotic disorders be caused by specified conditions

13. In Schedule 2, in paragraph 5 (severe psychiatric conditions), in sub-paragraph (2)(f), omit from "caused by" to the end.

Corrections and other minor amendments

14.—(1) In regulation 4(2), in the definition of "child of an eligible infected person", in paragraph (b), after "cared for" insert ", or was but for the infection expected to be cared for,".

(2) In regulation 14, in paragraph (2), after sub-paragraph (c) insert—

"(ca) if P is deceased on the date of the application, the date of P's death, and".

(3) In regulation 45, in paragraph (3)(a), in the opening words, at the end insert "evidence which establishes".

(4) In regulation 52 (affected autonomy award), in paragraph (4), for "paragraph (4)" substitute "paragraph (3)".

(5) In regulation 60, in paragraph (3), in the opening words, for "payment" substitute "amount".

(6) In regulation 62 (the IBSS amount: IBSS-registered infected persons), in the table, in column 2, in the seventh entry, for "The infected blood support schemes other than the Wales Infected Blood Support Scheme" substitute "The England Infected Blood Support Scheme and the Infected Blood Payment Scheme for Northern Ireland".

(7) In regulation 65 (form and time of making an application), in paragraph (2), after "application" insert "is".

(8) In regulation 74 (requirement to offer to make an IBCS payment), in paragraph (4)(b), in the opening words, for "the infected core application" substitute "the person in respect of whom the infected core application is made is not deceased, the application".

(9) In regulation 76, in paragraph (8)(a), for "75(6)(b)" substitute "75(6)".

(10) In Schedule 1, in the table, in the second column, in the third entry, before "fibrosis" insert "serious".

(11) In Schedule 2, in paragraph 6 (end-stage kidney disease requiring renal replacement therapy), in sub-paragraph (a)(iii), for "socium" substitute "sodium".

Nick Thomas–Symonds
Minister for the Cabinet Office
Cabinet Office

16th December 2025

EXPLANATORY NOTE

(This note is not part of the Regulations)

The infected blood compensation scheme ("the IBCS") was established by the Infected Blood Compensation Scheme Regulations 2024 (S.I. 2024/872). The IBCS was subsequently expanded by the Infected Blood Compensation Scheme Regulations 2025 (S.I. 2025/404) which revoked and replaced S.I. 2024/872.

These Regulations amend S.I. 2025/404 as follows—

(a) regulation 3 modifies the eligibility criteria for infected persons so that—

(i) a person is eligible for compensation if they were infected with HIV as a result of infected blood treatment received before 1st January 1982 (see regulation 3(10) of S.I. 2025/404 for the meaning of "infected blood treatment"); there are consequential amendments to the methods for calculating the amounts of associated awards for both infected and affected persons;

(ii) a person is automatically eligible for compensation if they are receiving support scheme payments as an infected person (see regulation 2(1) for the meaning of "support scheme payments");

(iii) a person ("A") is eligible for compensation if a Hepatitis B infection was transmitted to them by a person ("B") who does not satisfy either of the conditions in regulation 3(3)(c)(i) and (ii) of S.I. 2025/404, as long as A does satisfy those conditions and as long as B satisfies all other eligibility criteria;

(iv) a person is not eligible for compensation if they became infected by virtue of a tissue transplant where they were notified before the transplant that the tissue carried an infection;

(v) a person is eligible for compensation if they were in a long-term relationship with another person ("B"), became infected via sexual contact with B, were not living with B at the time of the contact, and then subsequently lived with B;

(b) regulation 4 modifies the eligibility criteria for affected persons so that—

(i) the estate of an affected person can claim compensation if that person died or dies during the period which begins with 21st May 2024 and ends with 31st March 2031;

(ii) a person is automatically eligible for compensation if they are receiving support scheme payments as an affected person;

(c) regulation 5 modifies the definition of "relevant person" to ensure that payments are made directly to, and requirements to repay are imposed directly on, an eligible person who lacks capacity (and not to someone holding a power of attorney or similar authority, as previously);

(d) regulation 6 removes the requirement for applications to be accompanied by evidence about the date of Hepatitis infections;

(e) regulation 7 ensures that a person who suffers the most severe level of Hepatitis infection, and whose level of infection severity for past years must be deemed because of an absence of evidence, is deemed to be at level 3 severity for the intended amount of time (whereas previously they might have been deemed never to have been at level 3);

(f) regulation 8 establishes that a person cannot receive compensation for end-of-life care costs twice;

(g) regulation 9 removes the minimum earnings threshold for a person to claim exceptional loss as a result of reduced earnings caused by an infection;

(h) regulation 10 delays the time at which support scheme payments will be paid under the IBCS instead of under infected blood support schemes;

(i) regulation 11 secures that bereaved partners of recently deceased infected persons receive, for a period of 12 months after the infected person's death, 100% of the value of the support scheme payments that the infected person was entitled to (instead of the 75% which the bereaved partner would otherwise receive);

(j) regulation 12 allows—

  (i) a person who is receiving their compensation as periodic payments to opt to end the periodic payments and receive the outstanding amount as a lump sum, and

  (ii) a person who opted to continue to receive support scheme payments to change their mind, so that the amount of compensation they would have been entitled to had they opted out of support scheme payments becomes payable to them;

(k) regulation 13 modifies the description of psychiatric conditions so that now an eligible infected person with any secondary psychotic disorder caused by their infection or interferon treatment might qualify for compensation;

(l) regulation 14 makes corrections and miscellaneous minor amendments.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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