

Scottish Infected Blood Support Amendment Scheme 2022

The Scottish Ministers make the following Scheme to amend the Scottish Infected Blood Support Scheme 2017 in exercise of the powers conferred by section 28 of the Smoking, Health and Social Care (Scotland) Act 2005 and all other powers enabling them to do so.

Commencement and interpretation

1.—(1) This Scheme comes into force on 1 April 2022.

(2) In this Scheme, “the Principal Scheme” means the Scottish Infected Blood Support Scheme 2017 (as amended)¹.

Amendment of the Principal Scheme

2. The Principal Scheme is amended in accordance with paragraphs 3 to 10.

Amendment of the Principal Scheme – changes to annual payment levels

3. In schedule 1—

- (a) in paragraph 3A(a), for “£18,912” substitute “£19,498”;
- (b) in paragraph 3A(b), for “£28,680” substitute “£29,569”;
- (c) in paragraph 3A(c), for “£9,456” substitute “£9,749”;
- (d) in paragraph 3AA, for “£544” substitute “£561”;
- (e) in paragraph 4—
 - (i) for “£28,680” substitute “£29,569”; and
 - (ii) for “£21,510” substitute “£22,177”;
- (f) in paragraph 5A, for “£9,456” substitute “£9,749”;
- (g) in paragraph 6, for “£18,912” substitute “£19,498”;
- (h) in paragraph 7, for “£28,680” substitute “£29,569”;
- (i) in paragraph 7A, for “£7,092” substitute “£7,312”;
- (j) in paragraph 8, for “£14,184” substitute “£14,624”;
- (k) in paragraph 9, for “£21,510” substitute “£22,177”.

4. In schedule 2—

- (a) in paragraph 4, for “£28,680” substitute “£29,569”;
- (b) in paragraph 4A, for “£544” substitute “£561”;
- (c) in paragraph 7, for “£28,680” substitute “£29,569”;
- (d) in paragraph 8, for “£21,510” substitute “£22,177”.

5. In schedule 3—

- (a) in paragraph 3, for “£28,680” substitute “£29,569”;
- (b) in paragraph 3ZA, for “£544” substitute “£561”;

¹ Made on 21st February 2017. The Principal Scheme was amended by the Scottish Infected Blood Support Amendment Scheme 2017 (which was made on 6th September 2017); the Scottish Infected Blood Support Amendment Scheme 2018 (which was made on 20th December 2018); the Scottish Infected Blood Support Amendment Scheme 2020 (which was made on 20th March 2020); the Scottish Infected Blood Support Amendment Scheme 2021 (which was made on 29th March 2021); and the Scottish Infected Blood Support Amendment (No. 2) Scheme 2021 (which was made on 23rd June 2021).

- (c) in paragraph 5, for “£28,680” substitute “£29,569”;
- (d) in paragraph 6, for “£21,510” substitute “£22,177”.

6. In schedule 4—

- (a) in paragraph 3, for “£45,072” substitute “£46,469”;
- (b) in paragraph 3ZA, for “£544” substitute “£561”;
- (c) in paragraph 5, for “£45,072” substitute “£46,469”;
- (d) in paragraph 6, for “£33,804” substitute “£34,852”.

Amendment of the Principal Scheme – applications made on behalf of a person who has died

7. In paragraph 18, after sub-paragraph (2), insert—

“(2A) A one-off lump sum payment described in Schedules 1 to 4 will not be made following an application under sub-paragraph (1) in circumstances where—

- (a) the person on behalf of whom an application has been made had previously received a one-off lump sum payment from a UK scheme or this Scheme; or
- (b) the surviving spouse, civil partner, long term cohabitee or estate of the person on behalf of whom an application has been made has previously received a one-off lump sum payment from a UK scheme or this Scheme on behalf of that person.

(2B) Sub-paragraph (2A) does not apply in circumstances where—

- (a) the one-off lump sum payment previously received was —
 - (i) a lump sum payment under schedule 1 of this Scheme; or
 - (ii) a lump sum payment received by a transferring Hepatitis C Stage 1 Qualifying Person from a UK scheme; and
- (b) at the time of their death, the person on behalf of whom an application has been made was a Hepatitis C Stage 2 qualifying person.”

Amendment of the Principal Scheme – one-off payments in respect of previous financial years

8. In paragraph 16, omit—

“Schedule 4A for one-off payments in respect of the financial years 2019-2020 and 2020-2021;”

9. In paragraph 18(2), for “4A” substitute “4”.

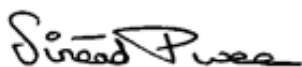
10. Omit schedule 4A.

Saving provision

11. Where—

- (a) a person would have been eligible to receive a one-off lump sum payment under schedule 4A, and
- (b) did not receive such a payment before 1 April 2022,

schedule 4A of the Principal Scheme continues to have effect.



A member of staff of the Scottish Ministers

24 March 2022