



Advice NI Information Briefing Troubles Permanent Disablement Payment Scheme

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Advice NI
1st Floor Forestview
Purdy's Lane
Belfast BT8 7AR
028 9064 5919
info@adviceni.net

Policy & Information Team Information Briefing Note

Troubles Permanent Disablement Payment Scheme (also known as the Victims' Payments Scheme)

The Victims' Payments Board has partnered with Advice NI to provide free, independent advice and guidance on money management and debt to individuals entitled to payments under the Troubles Permanent Disablement Payment Scheme. Advice NI will offer advice on:

- Identifying financial priorities
- Managing day-to-day finances by maximising income and reducing expenditure
- Building a nest egg by starting to save
- Managing debts and how to deal with them
- Negotiating with creditors
- Future money management

Advice NI are not able to provide advice on savings products or investing of money. For this type specific service, it is always best to seek independent financial advice:

[MoneyHelper: Choosing a financial adviser](#)

In addition, Advice NI does not provide advice on eligibility for the Troubles Permanent Disablement Payment Scheme and cannot assist with applications. A list of organisations providing advice on the application process is available from the Victims' Payments Board website:

[Support Services](#)

Alternatively, applicants can [contact the Victims & Survivors Service](#).

Applicants should be provided with a case reference number which they can use to check the progress of their application by [contacting the Victims' Payments Board](#).

WHAT IS THE TROUBLES PERMANENT DISABLEMENT PAYMENT SCHEME?	2
WHAT KIND OF PAYMENTS ARE MADE?	3
CAN APPLICANTS DISPUTE A DECISION?	4
DO PAYMENTS IMPACT ON WELFARE RIGHTS?	5

What is the Troubles Permanent Disablement Payment Scheme?

Payments under the Troubles Permanent Disablement Payment Scheme are made on the decision of the Victims' Payments Board (VPB) to people who have suffered a physical or psychological injury as a result of a Troubles-related incident that took place between 1 January 1966 and 12 April 2010. Applications will be assessed by a Health Care Professional to determine that the claimant is permanently disabled and that their degree of disablement is no less than 14%.

Further information for applicants is available at the Victims' Payment Board website:

[Guidance to Applicants](#)
[Making an Application](#)

Who can receive a payment through the Scheme?

There are two factors relating to the eligibility criteria that need to be taken into account when advising someone who is awarded a payment under the Scheme: that they have 'permanent' physical or psychological disablement, and that their disablement was suffered as a result of being present at or responding to a 'Troubles-related incident'.

Permanent disablement is defined by the law relating to the Scheme as 'damage, disfigurement and loss of physical or mental capacity resulting from injury' that 'has reached a steady or stable state at maximum medical improvement'.¹ In order to establish their entitlement, all applicants to the Scheme are subject to an assessment by a Health Care Professional, whose role it is to determine the person's 'degree of disablement', which relates to the loss of capacity caused by the injury. Where the person has a dispute or complaint about their assessment there are specific [procedures](#) in place to address this, and they should be advised to discuss this with the relevant supporting service which assisted them with the original claim.

¹ The Victims' Payments Regulations 2020, [reg 2\(1\)](#)

What kind of payments are made?

Three types of payments may be made under the Troubles Permanent Disablement Payment Scheme: backdated, regular or lump sum.

Backdated payments

Payments can be backdated to 23 December 2014, or any date thereafter, where the Board accepts that the claimant would have been entitled to the payment at that time.² To avail of backdating, the application will need to be made within the first 3 years of the scheme – that is, by 30 August 2024.

Regular payments

Those that opt for regular payments will receive their payment once a month.³ The amount of the payment is calculated on the basis of the person's level of disablement, and in line with the weekly rates of pensions for disabled members of the armed forces,⁴ subject to adjustments relating to certain existing payments or past compensation paid to the person in respect of the disability arising from the Troubles-related incident.⁵

Regular payments will continue unless the victim's entitlement is reviewed by the Board, they apply for and accept a lump sum payment (see below) or they die. Victims can nominate one person, who must either be their partner or someone who cares for them, to continue receiving payments after their death. Payments to a nominated beneficiary will continue for a maximum of 10 years following the victim's death.⁶

Lump sum payments

If the applicant is over the age of 60 or terminally ill, they can apply for a one-off lump sum instead of regular payments. In those cases, the amount payable will be equivalent to 10 years of regular payments.⁷ However, if an applicant is paid a lump sum then there will be no further entitlement to payments through the Scheme

² [Reg 21\(2\)](#)

³ [Reg 23](#)

⁴ [Reg 18](#). See [Part 2 of Schedule 1 to the Naval, Military and Air Forces Etc. \(Disablement and Death\) Service Pensions Order 2006](#) for the relevant rates.

⁵ Relevant payments are listed in The Victims' Payments Regulations 2020, [regs 19 & 20](#).

⁶ [Reg 9](#)

⁷ [Reg 24\(4\)](#)

Can applicants dispute a decision?

Applicants may be unhappy with some aspect of the process of claiming a payment under the Scheme. In that case, they can avail of statutory appeal rights, request reassessment if their condition worsens, and also avail of the Victims' Payments Board's complaints policy.

Appeals

If the applicant disagrees with the Board's decision about their entitlement, they can submit an appeal against that decision within 12 months of the date of the Notice of Determination.⁸ A decision on appeal is final.

Further Assessment

Recipients can apply to have their degree of permanent disablement assessed again if their disablement has become worse and they reasonably believe that this changes their degree of permanent disablement arising from the incident.⁹

Complaints

If an applicant is unhappy with the way that the Victims' Payments Board has handled their case, they can make use of the Board's formal complaints procedures. Complaints procedures and time-frames for response are set out in the Board's [Complaints Policy and Procedures](#) document.

⁸ [Reg 34](#)

⁹ [Reg 33](#)

Do payments impact on welfare rights?

The Victims' Payments Regulations 2020 include a specific provision permanently disregarding both regular and lump sum payments from consideration of either capital or income for the purposes of calculating entitlement to the following benefits:

- Employment and Support Allowance
- Housing Benefit
- Income Support
- Jobseeker's Allowance
- Pension Credit
- Universal Credit¹⁰

In addition, the regulations also exclude payments from consideration in the assessment of the recipient's ability to pay care home fees and in any determination relating to the repayment of criminal injuries compensation.¹¹ Similarly, payments are exempt from consideration under the Compensation Recovery Scheme.¹²

For debt advice purposes, it is important to note that assignment or charge of payments are prohibited, as is any claim on the payments by creditors in a bankruptcy.¹³

Finally, provision was made to provide tax relief for payments under the Troubles Permanent Disablement Payment Scheme, and therefore exempt from both income tax and capital gains tax.¹⁴

¹⁰ [Regs 26\(1\)\(a\) and \(2\)](#). See [DMG Memo 5/113, 9/46 & 14/69](#) and [ADM Memo 7/20](#) for benefit guidance.

¹¹ [Regs 26\(1\)\(b\) and \(c\)](#)

¹² [Reg 27](#). See the Department for Communities' [Guide to the Recovery of benefits, lump sum payments and health service charges](#) for more information.

¹³ [Reg 28](#)

¹⁴ Finance Act 2020, [§102](#) and [Schedule 15](#). Cf. HMRC Policy Paper on [Tax treatment of the Troubles Permanent Disablement Payment Scheme](#).



Contact information:

Advice NI Policy Team
Kevin Higgins (Head of Policy)
Advice NI
Forestview
Purdys Lane
Belfast
BT8 7AR
Tel: 028 9064 5919

Advice NI Policy & Information Team:

Name :

Email:

Kevin Higgins
Charlotte Brennan
Bridget Meehan
Matt Cole

kevin@adviceni.net
charlotte@adviceni.net
bridget@adviceni.net
matt@adviceni.net

www.adviceni.net
@AdviceNI

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