
SUBORDINATE
LEGISLATION

WG - No. 20-026

**NATIONAL HEALTH
SERVICE, WALES**

The NHS Business Services
Authority (Awdurdod
Gwasanaethau Busnes y GIG)
(Coronavirus Life Assurance
Scheme) (Wales) Directions 2020

Made 17 June 2020

Coming into force 17 June 2020

The Welsh Ministers, in exercise of the powers conferred on them by sections 23, 24, 203(9) and (10) and 204(3) of the National Health Service (Wales) Act 2006(1), make the following directions.

Title, application, commencement, and interpretation

1.—(1) The title of these Directions is the NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) (Coronavirus Life Assurance Scheme) (Wales) Directions 2020.

(2) These Directions are given to the NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG)(2).

(3) These Directions apply in relation to Wales only.

(4) These Directions come into force immediately after they are signed.

(1) 2006 c.42.

(2) The NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) was established by the NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) (Establishment and Constitution) Order 2005 (S.I. 2005/2414), as amended by S.I. 2006/632, S.I. 2007/1202, S.I. 2013/235, S.I. 2015/1862, S.I. 2017/959, S.I. 2018/378 and S.I. 2019/776.

(5) In these Directions—

“eligible individual” has the meaning given in paragraph 3 of the Scheme;

“qualifying death” has the meaning given in paragraph 7 of the Scheme;

“the Authority” means the NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG);

“the Scheme” means the National Health Service and Social Care Coronavirus Life Assurance (Wales) Scheme 2020 that has effect from 19 June 2020⁽¹⁾.

Functions of the Authority in relation to the Scheme

2. The Authority is directed to exercise the functions in relation to the Scheme specified in the Schedule to these Directions.



Helen Arthur

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Cyfarwyddwr Dros Dro y Gweithlu a Busnes
Corfforaethol

Date 17 June 2020

(1) Hard copies are available from Department for Health and Social Services, Welsh Government, Cathays Park, Cardiff, CF10 3NQ. Digital copies are available from HSS.CoronavirusLifeAssurance@gov.wales / IGC.AswiriantBywydCoronafeirws@llyw.cymru

SCHEDULE

Direction 2

1.—(1) Subject to sub-paragraph (2), the Authority must exercise all the functions of the Welsh Ministers in relation to the Scheme except of determining whether—

- (a) to treat a person on the same basis as if they were an eligible individual for the purposes of paragraph 7.2(a) or 7.3(a) of the Scheme; and
- (b) the performance of particular functions contributed to an eligible individual's death for the purposes of paragraph 7.3(c) of the Scheme.

(2) Where the Welsh Ministers notify the Authority that they intend to exercise a function in a particular case, the Authority must not exercise the function in that case.

(3) When exercising the functions as directed by sub-paragraph (1) the Authority must seek such appropriate and timely medical and legal advice as it considers necessary in connection with—

- (a) the interpretation of the Scheme and procedures relating to the administration of the Scheme; and
- (b) litigation in relation to the Scheme (whether actual or proposed).

(4) The Authority must notify the Welsh Ministers without delay of any matter (including actual or proposed litigation), which may, in the Authority's opinion—

- (a) challenge or cast doubt upon the Scheme, its interpretation or application; or
- (b) raise issues of financial or public policy in relation to the Scheme.

(5) Where the Authority notifies the Welsh Ministers of a matter in accordance with sub-paragraph (4), it must—

- (a) consult with the Welsh Ministers about the conduct of the matter; and
- (b) ensure that the Welsh Ministers are kept informed of developments in, and the progress of, the matter.

(6) The Authority must provide advice to the Welsh Ministers in relation to any or all matters relating to the Scheme as requested by the Welsh Ministers.

Administration of the Scheme

2. The Authority must administer the Scheme, and in particular—

- (1) determine claims made under the Scheme;

(2) arrange for payment of a lump sum following a qualifying death in respect of an eligible individual in accordance with the provisions set out in the Scheme; and

(3) adopt a dispute resolution procedure that will apply to the Scheme.

3.The Authority must keep records of—

(1) all claims made under the Scheme; and

(2) all other information necessary to perform its functions.

4.The Authority must provide advice and guidance to employers and to any person who does or may apply under the Scheme.

5.The Authority must promote awareness of the Scheme.