



# Welfare Reform Act 2007

## 2007 CHAPTER 5

### PART 4

#### MISCELLANEOUS

PROSPECTIVE

#### *Vaccine Damage Payments Act 1979*

#### **56 Overseas vaccinations**

(1) Section 2 of the Vaccine Damage Payments Act 1979 (c. 17) (conditions of entitlement) is amended as follows.

(2) For subsection (5) substitute—

“(5A) The Secretary of State may by order made by statutory instrument provide that, in such circumstances as may be specified in the order, the condition in subsection (1)(a)(i) need not be fulfilled in the case of vaccinations of persons of a description so specified which are given under arrangements made by or on behalf of—

- (a) Her Majesty's forces,
- (b) a government department so specified, or
- (c) any other body so specified.

(5B) Orders under subsection (5A) may make different provision in relation to different cases.”

(3) In subsection (6), for “that subsection” substitute “ this section ”.

#### **57 Appeals to appeal tribunal in Northern Ireland**

(1) The Vaccine Damage Payments Act 1979 is amended as follows.

*Status: This version of this cross heading contains provisions that are prospective.*

*Changes to legislation: Welfare Reform Act 2007, Cross Heading: Vaccine Damage Payments Act 1979 is up to date with all changes known to be in force on or before 11 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (2) In section 4 (appeals to appeal tribunals), in subsection (1) (right of appeal), for “an appeal tribunal” substitute “an appropriate appeal tribunal” and after that subsection insert—

“(1A) In subsection (1) the reference to an appropriate appeal tribunal is—

- (a) if the claimant's address is in Northern Ireland, to an appeal tribunal constituted under Chapter 1 of Part 2 of the Social Security (Northern Ireland) Order 1998;
- (b) if it is not, to an appeal tribunal constituted under Chapter 1 of Part 1 of the Social Security Act 1998.”

- (3) In that section, after subsection (3) insert—

“(3A) In relation to appeals under subsection (1) to an appeal tribunal constituted under Chapter 1 of Part 2 of the Social Security (Northern Ireland) Order 1998, the Department for Social Development in Northern Ireland may by regulations—

- (a) make provision as to the manner in which, and the time within which, appeals are to be brought;
- (b) make such provision with respect to proceedings before appeal tribunals as the Department considers appropriate.

(3B) Regulations under subsection (3A) may in particular make any provision of a kind mentioned in Schedule 4 to the Social Security (Northern Ireland) Order 1998.”

- (4) In section 7A (correction of errors and setting aside of decisions), after subsection (1) insert—

“(1A) The Department for Social Development in Northern Ireland may by regulations make provision with respect to—

- (a) the correction of accidental errors in any decision or record of a decision under section 4 of this Act of an appeal tribunal constituted under Chapter 1 of Part 2 of the Social Security (Northern Ireland) Order 1998; and
- (b) the setting aside of any such decision in a case where it appears just to set the decision aside on the ground that—
  - (i) a document relating to the proceedings in which the decision was given was not sent to, or was not received at an appropriate time by, a party to the proceedings or a party's representative or was not received at an appropriate time by the appeal tribunal which gave the decision; or
  - (ii) a party to the proceedings or a party's representative was not present at a hearing related to the proceedings.”

- (5) In section 12 (financial provisions), after subsection (3) insert—

“(3A) The Department for Social Development in Northern Ireland shall pay such travelling and other allowances as the Department may determine—

- (a) to persons required under section 4 to attend before tribunals constituted under Chapter 1 of Part 2 of the Social Security (Northern Ireland) Order 1998; and

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- (b) in circumstances where the Department considers it appropriate, to any person who accompanies a disabled person to such a tribunal.”

**Status:**

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**Changes to legislation:**

Welfare Reform Act 2007, Cross Heading: Vaccine Damage Payments Act 1979 is up to date with all changes known to be in force on or before 11 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(3)(za) inserted by [2012 c. 5 s. 62\(2\)](#)
- s. 1(3B) inserted by [2012 c. 5 s. 62\(3\)](#)
- s. 1C inserted by [2012 c. 5 s. 54\(3\)](#)
- s. 1C repealed by [2012 c. 5 Sch. 14 Pt. 5](#) (This amendment not applied to [legislation.gov.uk](#). The entry for this repeal in Sch. 14 Pt. 6 was repealed (8.5.2012) without ever being in force by 2012 c. 5, s. 150(3), Sch. 14 Pt. 2)
- s. 2(6) inserted by [2012 c. 5 Sch. 5 para. 6\(3\)](#)
- s. 13(6A) inserted by [2009 c. 24 s. 3\(4\)\(b\)](#)
- s. 14(5) amendment to earlier affecting provision 2009 c. 24, s. 31(2) by [2012 c. 5 s. 54\(7\)](#)
- s. 14(5) inserted by [2009 c. 24 s. 31\(2\)](#)
- s. 16(1)(za) inserted by [2012 c. 5 s. 54\(5\)](#)
- s. 20(7A)(7B) inserted by [2023 c. 20 Sch. para. 55\(2\)](#)
- Sch. 1 para. 6(1)(da) inserted by [2009 c. 24 s. 5\(2\)\(a\)](#)
- Sch. 1 para. 6(2A) inserted by [2009 c. 24 s. 5\(2\)\(b\)](#)
- Sch. 2 para. 10A inserted by [2009 c. 24 s. 30\(2\)](#)
- Sch. 2 para. 4B and cross-heading inserted by [2012 c. 5 s. 62\(4\)](#)
- Sch. 2 para. 10B and cross-heading inserted by [2012 c. 5 s. 57\(8\)](#)
- Sch. 2 para. 10ZA inserted by [2012 c. 5 s. 57\(7\)\(b\)](#)
- Sch. 2 para. 10A heading word substituted by [2012 c. 5 s. 57\(7\)\(a\)](#)
- Sch. 2 para. 10A(1) words inserted by [2009 c. 24 Sch. 3 para. 8\(5\)\(a\)](#) (This amendment not applied to [legislation.gov.uk](#). The entry for this repeal in Sch. 14 Pt. 6 was repealed (8.5.2012) without ever being in force by 2012 c. 5, s. 150(3), Sch. 14 Pt. 2)
- Sch. 2 para. 10A(1) words repealed by [2012 c. 5 Sch. 14 Pt. 6](#) (This amendment not applied to [legislation.gov.uk](#). The entry for this repeal in Sch. 14 Pt. 6 was repealed (8.5.2012) without ever being in force by 2012 c. 5, s. 150(3), Sch. 14 Pt. 2)
- Sch. 2 para. 10A(1) words substituted by [2012 c. 5 s. 57\(7\)\(c\)\(i\)](#)
- Sch. 2 para. 10A(1) words substituted by [2012 c. 5 s. 57\(7\)\(c\)\(ii\)](#)