



Vaccine Damage Payments Act 1979

1979 CHAPTER 17

1 Payments to persons severely disabled by vaccination

- (1) if, on consideration of a claim, the Secretary of State is satisfied—
- (a) that a person is, or was immediately before his death, severely disabled as a result of vaccination against any of the diseases to which this Act applies; and
 - (b) that the conditions of entitlement which are applicable in accordance with section 2 below are fulfilled,
- he shall in accordance with this Act make a payment of £10,000 to or for the benefit of that person or to his personal representatives.
- (2) The diseases to which this Act applies are—
- (a) diphtheria,
 - (b) tetanus,
 - (c) whooping cough,
 - (d) poliomyelitis,
 - (e) measles,
 - (f) rubella,
 - (g) tuberculosis,
 - (h) smallpox, and
 - (i) any other disease which is specified by the Secretary of State for the purposes of this Act by order made by statutory instrument.
- (3) Subject to section 2(3) below, this Act has effect with respect to a person who is severely disabled as a result of a vaccination given to his mother before he was born as if the vaccination had been given directly to him and, in such circumstances as may be prescribed by regulations under this Act, this Act has effect with respect to a person who is severely disabled as a result of contracting a disease through contact with a third person who was vaccinated against it as if the vaccination had been given to him and the disablement resulted from it.
- (4) For the purposes of this Act, a person is severely disabled if he suffers disablement to the extent of 80 per cent. or more, assessed as for the purposes of section 57

Status: This is the original version (as it was originally enacted).

of the Social Security Act 1975 or the Social Security (Northern Ireland) Act 1975 (disablement gratuity and pension).

- (5) A statutory instrument under subsection (2)(i) above shall be subject to annulment in pursuance of a resolution of either House of Parliament.