



Vaccine Damage Payments Act 1979

1979 CHAPTER 17

[^{F1}4 Appeals to appeal tribunals.

(1) The claimant may appeal to [^{F2}the First-tier Tribunal] against any decision of the Secretary of State under section 3 or 3A above.

^{F3}[If the claimant's address is not in Northern Ireland, regulations may provide that, in
^{F3}(1B) such cases or circumstances as may be prescribed, there is a right of appeal only if the Secretary of State has considered whether to reverse the decision under section 3A.]

^{F3}[The regulations may in particular provide that that condition is met only where—
^{F3}(1C) (a) the consideration by the Secretary of State was on an application,
(b) the Secretary of State considered issues of a specified description, or
(c) the consideration by the Secretary of State satisfied any other condition specified in the regulations.]

(2) Regulations may make—
(a) provision as to the manner in which, and the time within which, appeals are to be brought; ^{F4} . . .

(b) ^{F4}

^{F5}[provision that, where in accordance with regulations under subsection (1B)
^{F5}(c) there is no right of appeal against a decision, any purported appeal may be treated as an application to reverse the decision under section 3A.]

(3) The regulations may in particular make any provision of a kind mentioned in Schedule 5 to the Social Security Act 1998.

(4) In deciding an appeal under this section, [^{F6}the First-tier Tribunal] shall consider all the circumstances of the case (including any not obtaining at the time when the decision appealed against was made).]

Changes to legislation: Vaccine Damage Payments Act 1979, Section 4 is up to date with all changes known to be in force on or before 07 June 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

Textual Amendments

- F1** S. 4 substituted (4.3.1999 for certain purposes, 18.10.1999 insofar as not already in force for certain purposes on 18.10.1999 and otherwise prosp.) by 1998 c. 14, **ss. 46, 87**; S.I. 1999/528, **art. 2, Sch.**; S.I. 1999/2860, **art. 2, Sch. 1** (subject to transitional provisions in Schs. 16-18)
- F2** Words in s. 4(1) substituted (3.11.2008) by The Transfer of Tribunal Functions Order 2008 (S.I. 2008/2833), **art. 9(1), Sch. 3 para. 32(a)**
- F3** S. 4(1B)(1C) inserted (25.2.2013 for specified purposes) by virtue of Welfare Reform Act 2012 (c. 5), s. 150(3), **Sch. 11 para. 2(2)** (with s. 102(7)-(9)); S.I. 2013/358, **art. 2(1), Sch. 1 para. 18, Sch. 1 para. 24**
- F4** S. 4(2)(b) and preceding word omitted (3.11.2008) by The Transfer of Tribunal Functions Order 2008 (S.I. 2008/2833), **art. 9(1), Sch. 3 para. 32(b)**
- F5** S. 4(2)(c) inserted (25.2.2013 for specified purposes) by Welfare Reform Act 2012 (c. 5), s. 150(3), **Sch. 11 para. 2(3)**; S.I. 2013/358, **art. 2(1), Sch. 1 para. 18, Sch. 1 para. 24**
- F6** Words in s. 4(4) substituted (3.11.2008) by The Transfer of Tribunal Functions Order 2008 (S.I. 2008/2833), **art. 9(1), Sch. 3 para. 32(c)**

Changes to legislation:

Vaccine Damage Payments Act 1979, Section 4 is up to date with all changes known to be in force on or before 07 June 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 :

- s. 4(1) words substituted by [2007 c. 5 s. 57\(2\)](#)
- s. 4(2) words inserted by [2007 c. 5 Sch. 7 para. 1\(2\)](#)
- s. 4(3) words substituted by [2007 c. 5 Sch. 7 para. 1\(3\)](#)

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. 2(5A)(5B) substituted for s. 2(5) by [2007 c. 5 s. 56\(2\)](#)
- s. 4(1A) inserted by [2007 c. 5 s. 57\(2\)](#)
- s. 4(3A)(3B) inserted by [2007 c. 5 s. 57\(3\)](#)
- s. 7A(1A) inserted by [2007 c. 5 s. 57\(4\)](#)
- s. 8(4) inserted by [2007 c. 5 Sch. 7 para. 1\(7\)](#)
- s. 9A inserted by [2007 c. 5 Sch. 7 para. 1\(8\)](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 7 para. 1(8) repealed (3.11.2008) without ever being in force by S.I. 2008/2833, arts. 1(1), 9(1), Sch. 3 para. 228(o) (with Sch. 4))
- s. 12(3A) inserted by [2007 c. 5 s. 57\(5\)](#)