

SCHEDULES

SCHEDULE 7

MINOR AND CONSEQUENTIAL AMENDMENTS RELATING TO PART 4

Vaccine Damage Payments Act 1979 (c. 17)

- 1 (1) The Vaccine Damage Payments Act 1979 is amended as follows.
- (2) In section 4(2) (power to make regulations about appeals), at the beginning insert “In relation to appeals under subsection (1) to an appeal tribunal constituted under Chapter 1 of Part 1 of the Social Security Act 1998,”.
- (3) In section 4(3) (provision which may be made under the preceding subsection), for “The regulations” substitute “Regulations under subsection (2)”.
- (4) In section 7A (correction of errors and setting aside of decisions)—
 - (a) in subsection (1)(a) (decisions with respect to which regulations made by the Secretary of State may make provision), after “Act” insert “, other than a decision of an appeal tribunal constituted under Chapter 1 of Part 2 of the Social Security (Northern Ireland) Order 1998”;
 - (b) in subsection (2) (nothing in subsection (1) to affect other powers), after “subsection (1)” insert “or (1A)”.
- (5) In section 8 (regulations), in subsection (1) (references in the Act to regulations are to regulations made by the Secretary of State), after “provisions of this Act” insert “, except sections 4(3A) and (3B) and 7A(1A),”.
- (6) In that section, in subsection (3) (provision which may be contained in regulations made by the Secretary of State)—
 - (a) after paragraph (b) insert “and”;
 - (b) paragraph (d) (power to confer functions on appeal tribunals) ceases to have effect.
- (7) In that section, at the end insert—
 - “(4) Any power of the Department for Social Development in Northern Ireland to make regulations under this Act—
 - (a) shall be exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 which shall be subject to negative resolution within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954; and
 - (b) includes power to make such incidental or supplementary provision as appears to the Department to be appropriate.”
- (8) After section 9 insert—

Status: This is the original version (as it was originally enacted).

“9A Interpretation: “appeal tribunal”

In this Act, references to an appeal tribunal, without more, are to a tribunal constituted under—

- (a) Chapter 1 of Part 1 of the Social Security Act 1998; or
- (b) Chapter 1 of Part 2 of the Social Security (Northern Ireland) Order 1998.”

(9) In section 12(3)(b) (duty of Secretary of State to pay travelling and other allowances to persons required to attend before tribunals under section 4)—

- (a) after “required” insert “under section 4”, and
- (b) for “under section 4 above” substitute “constituted under Chapter 1 of Part 1 of the Social Security Act 1998”.