



Welfare Reform Act 2007

2007 CHAPTER 5

PART 4

MISCELLANEOUS

Vaccine Damage Payments Act 1979

PROSPECTIVE

57 Appeals to appeal tribunal in Northern Ireland

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

Status: Point in time view as at 27/01/2016. This version of this provision is prospective.

Changes to legislation: *Welfare Reform Act 2007, Section 57 is up to date with all changes known to be in force on or before 06 August 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)*

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

Status:

Point in time view as at 27/01/2016. This version of this provision is prospective.

Changes to legislation:

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