
STATUTORY INSTRUMENTS

1979 No. 432

The Vaccine Damage Payments Regulations 1979

PART IV

[^{F1}DECISIONS REVERSING EARLIER DECISIONS

[^{F1} Decisions reversing earlier decisions made by the Secretary of State or appeal tribunals

11.—(1) The Secretary of State may make a decision under section 3A(1) of the Act which reverses a decision of his, made under section 3 of the Act, or of an appeal tribunal, made under section 4 of the Act—

- (a) pursuant to an application in the circumstances described in paragraph (2) below; or
- (b) except where paragraph (3) applies, on his own initiative.

(2) The circumstances referred to in paragraph (1)(a) above are—

- (a) the application is made in writing and contains an explanation as to why the applicant believes the decision in respect of which the application is made to be wrong; and
- (b) where the application is in respect of a decision of the Secretary of State, the application is made [^{F2}at any time after notification of that decision was given but before a decision of an appeal tribunal has been made]; or
- (c) where the application is in respect of a decision of an appeal tribunal, the application is made before whichever is the later of—
 - (i) the date two years after the date on which notification of that decision was given; or
 - (ii) the date six years after the date on which notification of the decision of the Secretary of State which was appealed was given.

(3) This paragraph applies where—

- (a) less than 21 days have elapsed since notice under regulation 12 below was given; or
- (b) more than six years have elapsed since the date on which notification of that decision was given except where it appears to the Secretary of State that a payment was made in consequence of a misrepresentation or failure to disclose any material fact.

(4) Where the Secretary of State has made a decision under section 3A(1) of the Act, he shall notify—

- (a) the disabled person (if he is alive) to whom the decision relates; and
- (b) if the disabled person is not a claimant, the claimant who made the claim in respect of that disabled person,

of that decision and the reasons for it.]

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Textual Amendments

- F1** Pt. IV substituted (18.10.1999) by [The Social Security and Child Support \(Decisions and Appeals\), Vaccine Damage Payments and Jobseeker's Allowance \(Amendment\) Regulations 1999 \(S.I. 1999/2677\)](#), regs. 1, 4
- F2** Words in reg. 11(2)(b) substituted (28.10.2013) by [The Social Security, Child Support, Vaccine Damage and Other Payments \(Decisions and Appeals\) \(Amendment\) Regulations 2013 \(S.I. 2013/2380\)](#), regs. 1(2), **2(2)**

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