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STATUTORY INSTRUMENTS

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**2013 No. 2380**

**The Social Security, Child Support, Vaccine  
Damage and Other Payments (Decisions and  
Appeals) (Amendment) Regulations 2013**

**Amendment of the Vaccine Damage Payments Regulations 1979**

2.—(1) The Vaccine Damage Payments Regulations 1979<sup>(1)</sup> are amended as follows.

(2) In regulation 11(2)(b) (decisions reversing earlier decisions made by the Secretary of State or appeals tribunals)<sup>(2)</sup>, for “within six years of the date on which notification of that decision was given” substitute “at any time after notification of that decision was given but before a decision of an appeal tribunal has been made”.

(3) After regulation 11 (decisions reversing earlier decisions), insert—

**“Consideration of reversal before appeal**

**11A.**—(1) This regulation applies in a case where—

- (a) the claimant’s address is not in Northern Ireland;
- (b) the Secretary of State gives a person written notice of a decision; and
- (c) that notice includes a statement to the effect that there is a right of appeal to the First-tier Tribunal in relation to the decision only if the Secretary of State has considered an application for a reversal of the decision.

(2) In a case to which this regulation applies, a person has a right of appeal under section 4 of the Act in relation to the decision only if the Secretary of State has considered whether to reverse the decision under section 3A of the Act.

(3) The notice referred to in paragraph (1) must inform the person that, where the notice does not include a statement of the reasons for the decision, he may, within one month of the date of the notice, request that the Secretary of State provide him with written reasons.

(4) Where written reasons are requested under paragraph (3), the Secretary of State must provide them within 14 days of receipt of the request or as soon as practicable afterwards.

(5) Where, as the result of paragraph (2), there is no right of appeal against a decision, the Secretary of State may treat any purported appeal as an application for a reversal of the decision under section 3A of the Act.”.

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(1) [S.I. 1979/432](#).

(2) Regulation 11 was substituted by [S.I. 1999/2677](#).