
STATUTORY INSTRUMENTS

2020 No. 103

The Victims' Payments Regulations 2020

PART 7

Appeal, further assessment and review

Determination of appeals

36.—(1) An appeal under regulation 34(1) is by way of reconsideration of the determination or assessment against which the appeal is brought, and accordingly—

- (a) on an appeal under regulation 34(1)(a), paragraphs (5) to (9) of regulation 10 apply as they do to a determination under regulation 10(4);
 - (b) on an appeal under regulation 34(1)(b), the appeal panel must determine whether the appellant is entitled to victims' payments;
 - (c) on an appeal under regulation 34(1)(c), the appeal panel must determine the Troubles-related incident or incidents in relation to which the applicant is entitled to victims' payments;
 - (d) on an application under regulation 34(1)(d) or (e), the appeal panel must consider whether the assessed degree of disablement provides a reasonable assessment of the degree of disablement resulting from the relevant incident;
 - (e) on an application under regulation 34(1)(f)—
 - (i) the appeal panel must determine the amount of victims' payments payable to the appellant, and
 - (ii) regulations 18(2) to (5) and 19 to 21 apply as they do to a determination under regulation 18(1), but with references to the applicant read as references to the appellant.
- (2) An appeal panel is to determine the appeal by considering—
- (a) any material provided in support of an application;
 - (b) any material obtained under regulation 29;
 - (c) any evidence given in a hearing;
 - (d) any report to the Board by a health care professional;
 - (e) any advice from an advisor appointed under paragraph 13(1) of Schedule 1, and
 - (f) any other material which the panel considers relevant.