STATUTORY INSTRUMENTS

1988 No. 1169

PUBLIC HEALTH, ENGLAND AND WALES
PUBLIC HEALTH, SCOTLAND
PUBLIC HEALTH, NORTHERN IRELAND

The Vaccine Damage Payments (Amendment) Regulations 1988

Made - - - -	*6th July 1988*
Laid before Parliament	*11th July 1988*
Coming into force -	*1st August 1988*

The Secretary of State for Social Services, in exercise of powers conferred on him by sections 4(1) and 8(1) and (2) of the Vaccine Damage Payments Act 1979(a) and of all other powers enabling him in that behalf, after consultation with the Council on Tribunals in accordance with section 10 of the Tribunals and Inquiries Act 1971(b), hereby makes the following Regulations:–

Citation, commencement and interpretation

1. These Regulations may be cited as the Vaccine Damage Payments (Amendment) Regulations 1988 and shall come into force on 1st August 1988.

Amendment of the Vaccine Damage Payments Regulations 1979

2.—(1) The Vaccine Damage Payments Regulations 1979(c) shall be amended in accordance with the following paragraphs of this regulation.

(2) In regulation 1(2) (interpretation), after the definition of "payment" there shall be inserted the following definition:–

"'"the President" means–

(a) in relation to England, Wales and Scotland, the President of social security appeal tribunals and medical appeal tribunals appointed under paragraph 1A(1)(a) of Schedule 10 to the Social Security Act 1975(d);

(b) in relation to Northern Ireland, the President of social security appeal tribunals and medical appeal tribunals appointed for Northern Ireland under paragraph 1A(1)(a) of Schedule 10 to the Social Security (Northern Ireland) Act 1975(e)".

(3) In regulation 7 (vaccine damage tribunals), for paragraph (1C)(f) there shall be substituted the following paragraphs:–

(a) 1979 c.17.
(b) 1971 c.62; Part I of Schedule 1 to the Tribunals and Inquiries Act 1971 is applied to vaccine damage tribunals by S.I. 1979/659, Article 2.
(c) S.I. 1979/432; the relevant amending instrument is S.I. 1984/442.
(d) 1975 c.14; paragraph 1A was inserted by paragraph 8 of Schedule 8 to the Health and Social Services and Social Security Adjudications Act 1983 (c.41).
(e) 1975 c.15; relevant amendments to Schedule 10 were made by Article 3 of, and paragraph 5 of Schedule 1 to the Social Security Adjudications (Northern Ireland) Order 1983 (S.I. 1983/1524 (NI. 17)).
(f) Paragraph (1C) was inserted by S.I. 1984/442.

"(1C) The members of the tribunal other than the chairman shall be medical practitioners appointed by the President after consultation with such academic medical bodies as appear to him to be appropriate.

(1D) The President may–

(a) except in Northern Ireland, appoint such officers and staff for vaccine damage tribunals as he thinks fit, subject to the consent of the Secretary of State and the Treasury as to numbers and as to remuneration and other terms and Conditions of Service;

(b) in Northern Ireland, appoint such officers and staff for vaccine damage tribunals as he thinks fit, with the consent of the Department of Health and Social Services for Northern Ireland and the Department of Finance and Personnel as to numbers and as to remuneration and other terms and Conditions of Service;

(c) arrange–

(i) such meetings of chairmen and other members of vaccine damage tribunals, and

(ii) such training for such chairmen and other members,

as he considers appropriate; and

(d) secure that such works of reference as he considers appropriate are available for the use of chairmen and other members of vaccine damage tribunals.".

Signed by authority of the Secretary of State for Social Services.

Michael Portillo
Parliamentary Under-Secretary of State,
Department of Health and Social Security

6th July 1988

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Vaccine Damage Payments Regulations 1979 so as to provide that members of the tribunals other than the chairman are to be appointed by the President of social security appeal tribunals and medical appeal tribunals or, as the case may be, the President of social security appeal tribunals and medical appeal tribunals for Northern Ireland. Provision is also made for the appointment of officers and staff for vaccine damage tribunals, and for the training of, and supply of works of reference to, tribunal chairmen and other members.

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