

GUIDANCE NOTE 21/26: LATE APPLICATIONS

24th SEPTEMBER 2026

1. The Troubles Permanent Disablement Payments Scheme (TPDPS) closed to new applications on 31 August 2026.
2. Regulation 8(3) of the Victims Payments Regulations 2020 permits applications to be made after the scheme has closed in the following circumstances:
 - (a) where there has been a material change of circumstance, or
 - (b) where the President of the Board considers that, having regard to the exceptional circumstances of the case, it is equitable to allow an application to be made.
3. The burden of establishing a material change of circumstance or exceptional circumstances rests with the applicant. The applicant must provide evidence of the circumstances upon which they rely. The applicable standard of proof is the balance of probabilities.

Material change of circumstance

4. A material change of circumstance includes, in particular:
 - (a) where significant evidence relevant to the application has come to light, or
 - (b) where the applicant reasonably considered that they were not entitled to Victims' Payments pursuant to regulation 6, but the applicant no longer has a conviction to which regulation 6(1)(b) applies or a relevant conviction.
5. The above list of factors is not intended to be exhaustive.
6. A panel will determine whether there has been a material change of circumstance for the purposes of regulation 8(3)(a).

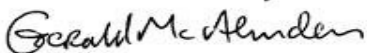
Exceptional circumstances

7. The President of the Board has authorised legal members of the Board to exercise the President's function under regulation 8(3)(b). A decision as to whether it is equitable to allow an application to be made on the grounds of exceptional circumstances may be made by a panel comprising one legal member in accordance with Schedule 1, paragraph 12(1)(a).
8. The panel will determine each case on its own facts. It will consider whether the circumstances relied upon are exceptional and, if so, whether, having regard to those circumstances, it is equitable to allow the application to be made.
9. The discretion will be exercised taking account of the following factors, which are not intended to be exhaustive:
 - (a) the scheme opened for applications on 31 August 2021 and therefore a five-year period ('the application period') has elapsed during which applications could be made;
 - (b) the nature, seriousness and duration of the circumstances relied upon;
 - (c) whether or not those circumstances arose during, or persisted throughout, all or a substantial part of the application period;
 - (d) the extent to which those circumstances impaired the applicant's ability to make an application during the application period;
 - (e) the length of time between the end of the application period and the making of the application, and whether the application was made promptly once the exceptional circumstances ceased to apply;
 - (f) the principles of the scheme set out in regulation 4, and the purposes of the scheme set out in regulation 5(6).

Procedure

10. Where an applicant wishes to make an application after 31 August 2026 (a 'late application'), they should contact the VPB Administration team at VPB@justice-ni.gov.uk to request an application form. VPB will then provide, in either hard copy or PDF format:
 - A TPDPS Application Form, and
 - A Late Application Circumstances Form.

11. The TPDPS Application Form should be completed in full, including all relevant incident details and injury details, and returned to VPB together with the completed Late Application Circumstances Form and any evidence upon which the applicant seeks to rely as showing a material change of circumstance or exceptional circumstances.
12. Where a TPDPS Application Form has been submitted to VPB after 31 August 2026, but before the issuing of this Guidance Note, the Board will send the applicant a copy of the Late Application Circumstances Form, which the applicant should return within four weeks, together with any evidence relied upon as showing a material change of circumstance or exceptional circumstances.
13. **The Board will not consider a late application to have been received until both the TPDPS Application Form and the Late Application Circumstances Form have been lodged with VPB.** This requirement relates to any late application made after 31 August 2026.
14. The Regulations do not provide a right of appeal against a decision that an application may not be made under regulation 8(3).

Signed: 

The Honourable Mr Justice McAlinden
President of the Victims' Payments Board