
DRAFT STATUTORY INSTRUMENTS

1999 No.

SOCIAL SECURITY

FAMILY LAW

CHILD SUPPORT

The Social Security and Child Support
(Decisions and Appeals) Regulations 1999

Made - - - - 1999
Coming into force in accordance with
regulation 1(2)

THE SOCIAL SECURITY AND CHILD SUPPORT
(DECISIONS AND APPEALS) REGULATIONS 1999

PART I

GENERAL

1. Citation, commencement and interpretation
2. Service of notices or documents

PART II

REVISIONS, SUPERSESSIONS AND OTHER MATTERS SOCIAL SECURITY

CHAPTER I

REVISIONS

3. Revision of decisions
4. Late application for a revision
5. Date from which a decision revised under section 9 takes effect

CHAPTER II

SUPERSESSIONS

6. Supersession of decisions

7. Date from which a decision superseded under section 10 takes effect
8. Effective date for late notifications of change of circumstances

CHAPTER III

OTHER MATTERS

9. Certificates of recoverable benefits
10. Effect of a determination as to capacity for work
11. Secretary of State to determine certain matters
12. Decision of the Secretary of State relating to industrial injuries benefit
13. Income support and social fund determinations on incomplete evidence
14. Effect of alteration in the component rates of income support and jobseeker's allowance
15. Jobseeker's allowance determinations on incomplete evidence

PART III

SUSPENSION, TERMINATION AND OTHER MATTERS

CHAPTER I

SUSPENSION AND TERMINATION

16. Suspension in prescribed cases
17. Provision of information or evidence
18. Termination in cases of failure to furnish information or evidence
19. Suspension and termination for failure to submit to medical examination
20. Making of payments which have been suspended

CHAPTER II

OTHER MATTERS

21. Decisions involving issues that arise on appeal in other cases
22. Appeals involving issues that arise in other cases
23. Child support decisions involving issues that arise on appeal in other cases
24. Child support appeals involving issues that arise in other cases

PART IV

RIGHTS OF APPEAL AND PROCEDURE FOR BRINGING APPEALS

CHAPTER I

GENERAL

GENERAL APPEALS MATTERS NOT INCLUDING CHILD SUPPORT APPEALS

25. Other persons with a right of appeal
26. Decisions against which an appeal lies
27. Decisions against which no appeal lies
28. Notice of decision against which appeal lies
29. Further particulars required relating to certificate of recoverable benefits appeals or applications

GENERAL APPEALS MATTERS INCLUDING CHILD SUPPORT APPEALS

30. Appeal against a decision which has been revised
31. Time within which an appeal is to be brought
32. Late appeals
33. Making of appeals and applications
34. Death of a party to an appeal

PART V

APPEAL TRIBUNALS FOR SOCIAL SECURITY CONTRACTING OUT OF PENSIONS VACCINE DAMAGE AND CHILD SUPPORT

CHAPTER I

THE PANEL AND APPEAL TRIBUNALS

35. Persons appointed to the panel
36. Composition of appeal tribunals
37. Assignment of clerks to appeal tribunals: function of clerks

CHAPTER II

PROCEDURE IN CONNECTION WITH DETERMINATION OF APPEALS AND REFERRALS

38. Consideration and determination of appeals and referrals
39. Directions concerning oral hearings
40. Withdrawal of appeal or referral
41. Medical examination required by appeal tribunal
42. Non-disclosure of medical advice or evidence
43. Summoning of witnesses and administration of oaths
44. Confidentiality in child support appeals or referrals
45. Consideration of more than one appeal under section 20 of the Child Support Act

CHAPTER III

STRIKING OUT APPEALS

46. Appeals which may be struck out
47. Reinstatement of struck out appeals
48. Misconceived appeals

CHAPTER IV

ORAL HEARINGS

49. Procedure at oral hearings
50. Manner of providing expert assistance
51. Postponement and adjournment
52. Physical examinations at oral hearings

CHAPTER V

DECISIONS OF APPEAL TRIBUNALS AND RELATED MATTERS

APPEAL TRIBUNAL DECISIONS

53. Decisions of appeal tribunals
54. Late applications for a statement of reasons of tribunal decision
55. Record of tribunal proceedings
56. Correction of accidental errors
57. Setting aside decisions on certain grounds

APPLICATIONS FOR LEAVE TO APPEAL TO A COMMISSIONER (NOT INCLUDING CHILD SUPPORT)

58. Application for leave to appeal to a Commissioner from an appeal tribunal

PART VI

REVOCATIONS

59. Revocations
Signature

SCHEDULE 1 — Provisions conferring powers exercised in making these Regulations

SCHEDULE 2 — Decisions against which no appeal lies

Child Benefit

1. A decision of the Secretary of State as to whether...
2. A decision of the Secretary of State to recognise education...
3. A decision of the Secretary of State made in accordance...
4. A decision of the Secretary of State made in accordance...

Claims and Payments

5. A decision of the Secretary of State under the Claims...

Contracted Out Pension Schemes

6. A decision of the Secretary of State under section 109...

Decisions depending on other cases

7. A decision of the Secretary of State under section 25...

Deductions

8. A decision which falls to be made by the Secretary...
9. (1) Except in relation to a decision to which sub-paragraph...

European Community Regulations

10. An authorization given by the Secretary of State in accordance...

Expenses

11. A decision of the Secretary of State whether to pay...

Guardian's Allowance

12. A decision of the Secretary of State relating to the...

Income Support

13. A decision of the Secretary of State which embodies a...

Industrial Injuries Benefit

14. A decision of the Secretary of State relating to the...
15. A decision of the Secretary of State under regulation 2(2)...
16. A decision of the Secretary of State to approve or...
17. A decision of the Secretary of State as to how...

Invalid Vehicle Scheme

18. A decision of the Secretary of State relating to the...

Jobseeker's Allowance

19. (1) A decision of the Secretary of State under Chapter...

Payments on Account, Overpayments and Recovery

20. A decision of the Secretary of State under the Social...

Persons Abroad

21. A decision of the Secretary of State made under—

Reciprocal Agreements

22. A decision of the Secretary of State made in accordance...

Social Fund Awards

23. A decision of the Secretary of State under section 78...

Suspension

24. A decision of the Secretary of State relating to the...

Up-rating

25. A decision of the Secretary of State relating to the...

SCHEDULE 3 — Qualifications of Persons Appointed to the Panel

Legal Qualifications

1. Persons who— (a) have a general qualification (construed in accordance...

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: The Social Security and Child Support (Decisions and Appeals) Regulations 1999 No. 991

Medical Qualifications

2. Fully registered medical practitioners, where— (a) the practitioner’s name appears...
3. In paragraph 2 above and in this paragraph— “EEA Agreement”...

Financial Qualifications

4. Accountants who are members of— (a) the Institute of Chartered...

Disability Qualifications

5. Persons, other than registered medical practitioners, who are experienced in...

SCHEDULE 4 — REVOCATIONS

Explanatory Note