



Child Support Act 1991

1991 CHAPTER 48

Reviews and appeals

[^{F1}16 Revision of decisions E+W+S

- (1) Any decision [^{F2}to which subsection (1A) applies] may be revised by the Secretary of State—
- (a) either within the prescribed period or in prescribed cases or circumstances; and
 - (b) either on an application made for the purpose or on his own initiative;
- and regulations may prescribe the procedure by which a decision of the Secretary of State may be so revised.

[^{F3}(1A) This subsection applies to—

- (a) a decision of the Secretary of State under section 11, 12 or 17;
- (b) a reduced benefit decision under section 46;
- (c) a decision of an appeal tribunal on a referral under section 28D(1)(b).

(1B) Where the Secretary of State revises a decision under section 12(1)—

- (a) he may (if appropriate) do so as if he were revising a decision under section 11; and
- (b) if he does that, his decision as revised is to be treated as one under section 11 instead of section 12(1) (and, in particular, is to be so treated for the purposes of an appeal against it under section 20).]

- (2) In making a decision under subsection (1), the Secretary of State need not consider any issue that is not raised by the application or, as the case may be, did not cause him to act on his own initiative.
- (3) Subject to subsections (4) and (5) and section 28ZC, a revision under this section shall take effect as from the date on which the original decision took (or was to take) effect.
- (4) Regulations may provide that, in prescribed cases or circumstances, a revision under this section shall take effect as from such other date as may be prescribed.

Status: Point in time view as at 03/03/2003. This version of this provision has been superseded.

Changes to legislation: Child Support Act 1991, Section 16 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (5) Where a decision is revised under this section, for the purpose of any rule as to the time allowed for bringing an appeal, the decision shall be regarded as made on the date on which it is so revised.
- (6) Except in prescribed circumstances, an appeal against a decision of the Secretary of State shall lapse if the decision is revised under this section before the appeal is determined.]

Textual Amendments

- F1** S. 16 substituted (16.11.1998 for specified purposes, 7.12.1998 in so far as not already in force) by [Social Security Act 1998 \(c. 14\)](#), **ss. 40, 87(2)**; [S.I. 1998/2780](#), art. 2 (with art. 3) (as amended (2.4.2001) by 2000 c. 19, Sch. 9 Pt. 1; [S.I. 2001/1252](#), art. 2(1)(d)(iii))
- F2** Words in s. 16(1) substituted (3.3.2003 for specified purposes) by [Child Support, Pensions and Social Security Act 2000 \(c. 19\)](#), **ss. 8(2)**, 86(1)(a)(2) (with [ss. 28, 83\(6\)](#)); [S.I. 2003/192](#), art. 3, Sch.
- F3** S. 16(1A)(1B) inserted (3.3.2003 for specified purposes) by [Child Support, Pensions and Social Security Act 2000 \(c. 19\)](#), **ss. 8(3)**, 86(1)(a)(2) (with [ss. 28, 83\(6\)](#)); [S.I. 2003/192](#), art. 3, Sch.
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Modifications etc. (not altering text)

- C1** S. 16 applied by [The Social Security and Child Support \(Decisions and Appeals\) Regulations 1999 \(S.I. 1999/991\)](#), **reg. 3A** (as inserted (3.3.2003 for specified purposes) by [S.I. 2000/3185](#), [regs. 1, 5](#); [S.I. 2003/192](#), art. 3(1), Sch.)

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