

Changes to legislation: *The Social Security (Adjudication) and Child Support Amendment (No. 2) Regulations 1996 is up to date with all changes known to be in force on or before 18 June 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) View outstanding changes*

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Social Security (Adjudication) Regulations 1995 and the Child Support Appeal Tribunals (Procedure) Regulations 1992 to make certain changes to the procedure of social security appeal tribunals, disability appeal tribunals, medical appeal tribunals and child support appeal tribunals.

The Social Security (Adjudication) Regulations 1995 are amended in respect of social security appeal tribunals, disability appeal tribunals and medical appeal tribunals to—

- a) insert a new definition of “clerk to the tribunal” (regulation 2);
- b) specify the circumstances in which the chairman of a tribunal or board or the clerk to the tribunal may give directions as to procedure (regulation 3);
- c) include new requirements for the information to be provided in connection with an appeal (regulation 4);
- d) reduce the minimum period for notice of an oral hearing, provide that in certain circumstances a tribunal chairman may direct that an appeal be determined forthwith, and provide that a party to the proceedings may waive the right to be given notice (regulation 5);
- e) allow the clerk to the tribunal to deal with requests for hearings to be postponed and to postpone hearings of his own motion (regulation 6);
- f) allow a person who has made an appeal to withdraw it before a hearing without consent in certain circumstances (regulation 7);
- g) amend the circumstances in which a tribunal chairman may strike out an appeal for want of prosecution, the procedure for striking out, and the circumstances in which an appeal which has been struck out may be reinstated (regulation 8);
- h) amend the provisions on setting aside tribunal decisions to reflect the new provisions on oral hearings (regulation 9);
- i) provide that, unless the chairman of a tribunal or board orders an oral hearing, an oral hearing of an appeal or reference shall be held only on the request of a party to the proceedings, and specify how such a request is to be made (regulations 10, 12(2) and 13(2));
- j) amend the provisions on the form and promulgation of tribunal decisions (regulations 11(2) and (3), 12(3) and (4) and 13(3) and (4)).

The Child Support Appeal Tribunals (Procedure) Regulations 1992 are amended to make broadly equivalent changes in respect of child support appeal tribunals in relation to: time and manner of making an appeal (regulation 14); directions by the chairman or the clerk to the tribunal (regulation 15); striking out (regulation 16); withdrawal (regulation 17); postponement (regulation 18); hearings including procedure for requesting an oral hearing (regulation 19); form and promulgation of decisions (regulation 20); setting aside of decisions (regulation 21).

Regulation 22 makes a saving provision in respect of certain provisions of the Social Security (Adjudication) Regulations 1995 and the Child Support Appeal Tribunals (Procedure) Regulations 1992

These Regulations do not impose any costs to business.

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Changes and effects yet to be applied to :

- regs.2-13 revoked by [S.I. 1999/991 reg.59Sch.4](#)