

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations make provision about decision-making and appeals in the case of an employment and support allowance and a jobseeker's allowance, as those benefits have effect as amended by the Welfare Reform Act 2012 (which removes references to an income-related employment and support allowance and income-based jobseeker's allowance), personal independence payment and in the case of universal credit.

Part 1 contains provisions relating to citation, commencement, application and interpretation. It also contains provisions relating to the service of notices or documents and the use of electronic communications.

Parts 2 and 3 and Schedule 1 provide for the circumstances in which the Secretary of State may revise or supersede decisions, when such decisions take effect and related procedural matters. Part 2 also makes provision for persons to be required to apply for a decision to be revised before they may be permitted to appeal (regulation 7).

Part 4 contains miscellaneous provisions relating to decisions of the Secretary of State. This includes correcting accidental errors, determinations on incomplete evidence and additional cases where no superseding decision needs to be made in the case of alterations affecting universal credit (regulation 41).

Part 5 of the Regulations makes provision for the suspension of benefit and Part 6 deals with termination of benefit.

Part 7 and Schedules 2 and 3 concern appeals. Part 7 makes provision for additional persons to have a right of appeal and for decisions (additional to those listed in the Social Security Act 1998) against which there is or is not a right of appeal. It also makes provision in relation to decisions and appeals involving issues that arise on appeal in other cases.

This Part also contains consequential amendments to the Social Security and Child Support (Decisions and Appeals) Regulations 1999 (S.I. 1999/991) concerning the application of those Regulations to universal credit, personal independence payment, an employment and support allowance and a jobseeker's allowance.

A full impact assessment has not been produced for this instrument as it has no impact on the private sector or civil society organisations.