



Child Support Act 1991

1991 CHAPTER 48

Reviews and appeals

[F120 Appeals to appeal tribunals.

- (1) A qualifying person has a right of appeal to an appeal tribunal against—
 - (a) a decision of the Secretary of State under section 11, 12 or 17 (whether as originally made or as revised under section 16);
 - (b) a decision of the Secretary of State not to make a maintenance calculation under section 11 or not to supersede a decision under section 17;
 - (c) a reduced benefit decision under section 46;
 - (d) the imposition (by virtue of section 41A) of a requirement to make penalty payments, or their amount;
 - (e) the imposition (by virtue of section 47) of a requirement to pay fees.
- (2) In subsection (1), “qualifying person” means—
 - (a) in relation to paragraphs (a) and (b)—
 - (i) the person with care, or non-resident parent, with respect to whom the Secretary of State made the decision, or
 - (ii) in a case relating to a maintenance calculation which was applied for under section 7, either of those persons or the child concerned;
 - (b) in relation to paragraph (c), the person in respect of whom the benefits are payable;
 - (c) in relation to paragraph (d), the parent who has been required to make penalty payments; and
 - (d) in relation to paragraph (e), the person required to pay fees.
- (3) A person with a right of appeal under this section shall be given such notice as may be prescribed of—
 - (a) that right; and
 - (b) the relevant decision, or the imposition of the requirement.
- (4) Regulations may make—

Status: Point in time view as at 21/07/2002. This version of this provision has been superseded.

Changes to legislation: Child Support Act 1991, Section 20 is up to date with all changes known to be in force on or before 06 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)

- (a) provision as to the manner in which, and the time within which, appeals are to be brought; and
 - (b) such provision with respect to proceedings before appeal tribunals as the Secretary of State considers appropriate.
- (5) The regulations may in particular make any provision of a kind mentioned in Schedule 5 to the Social Security Act 1998.
- (6) No appeal lies by virtue of subsection (1)(c) unless the amount of the person's benefit is reduced in accordance with the reduced benefit decision; and the time within which such an appeal may be brought runs from the date of notification of the reduction.
- (7) In deciding an appeal under this section, an appeal tribunal—
- (a) need not consider any issue that is not raised by the appeal; and
 - (b) shall not take into account any circumstances not obtaining at the time when the Secretary of State made the decision or imposed the requirement.
- (8) If an appeal under this section is allowed, the appeal tribunal may—
- (a) itself make such decision as it considers appropriate; or
 - (b) remit the case to the Secretary of State, together with such directions (if any) as it considers appropriate.]

Textual Amendments

- F1** S. 20 substituted (10.11.2000 for specified purposes, 3.3.2003 for specified purposes) by [Child Support, Pensions and Social Security Act 2000 \(c. 19\)](#), **ss. 10**, 86(1)(a)(2) (with **ss. 28**, 83(6)); [S.I. 2000/2994](#), **art. 2**, **Sch. Pt. 1**; [S.I. 2003/192](#), **art. 3**, **Sch.**

Modifications etc. (not altering text)

- C1** S. 20 modified (E.W.) (21.7.2002) by [The Child Support Appeals \(Jurisdiction of Courts\) Order 2002 \(S.I. 2002/1915\)](#), **arts. 1(2)**, **3** (with **art. 1(3)**)

Status:

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