



Social Security Act 1998

1998 CHAPTER 14

PART I

DECISIONS AND APPEALS

CHAPTER II

SOCIAL SECURITY DECISIONS AND APPEALS

Cases of error

28 Correction of errors and setting aside of decisions

- (1) Regulations may make provision with respect to—
- (a) the correction of accidental errors in any decision [^{F1}of the Secretary of State] or record of a decision [^{F1}of the Secretary of State] made under any relevant enactment; ^{F2}...

^{F2}(b)

[^{F3}(1A) In subsection (1) “decision” does not include [^{F4}any decision of the First-tier Tribunal or] any decision made by an officer of the Inland Revenue, other than a decision under or by virtue of Part III of the Pension Schemes Act 1993.]

- (2) Nothing in subsection (1) above shall be construed as derogating from any power to correct errors ^{F5}... which is exercisable apart from regulations made by virtue of that subsection.

- (3) In this section “relevant enactment” means any enactment contained in—

- (a) this Chapter;
- (b) the Contributions and Benefits Act;
- (c) the Pension Schemes Act 1993;
- (d) the Jobseekers Act; ^{F6}...

Status: Point in time view as at 03/11/2008. This version of this provision has been superseded.

Changes to legislation: Social Security Act 1998, Section 28 is up to date with all changes known to be in force on or before 30 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)

- (e) the Social Security (Recovery of Benefits) Act 1997; ^{F7}...
- ^{F8}(f) the State Pension Credit Act 2002^{F9}; or
- (g) Part 1 of the Welfare Reform Act 2007].

Textual Amendments

- F1** Words in s. 28(1)(a) inserted (3.11.2008) by [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 1(1), **Sch. 3 para. 164(a)(i)**
- F2** S. 28(1)(b) and preceding word omitted (3.11.2008) by virtue of [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 1(1), **Sch. 3 para. 164(a)(ii)**
- F3** S. 28(1A) inserted (5.7.1999) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\)](#), s. 28(3), **Sch. 7 para. 34** (with Sch. 8); S.I. 1999/1662, art 2(b), Sch. Pt. 2 (with art. 4)
- F4** Words in s. 28(1A) inserted (3.11.2008) by [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 1(1), **Sch. 3 para. 164(b)**
- F5** Words in s. 28(2) omitted (3.11.2008) by virtue of [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 1(1), **Sch. 3 para. 164(c)**
- F6** Word in s. 28(3) repealed (7.4.2003) by [State Pension Credit Act 2002 \(c. 16\)](#), s. 22(3), **Sch. 3**; S.I. 2003/966, art. 2(b), Sch.
- F7** Word in s. 28(3) repealed (27.10.2008) by [Welfare Reform Act 2007 \(c. 5\)](#), s. 70(1), **Sch. 8**; S.I. 2008/787, art. 2(4)(g)
- F8** S. 28(3)(f) and preceding word inserted (2.7.2002 for specified purposes, 7.4.2003 in so far as not already in force) by [State Pension Credit Act 2002 \(c. 16\)](#), s. 22(3), **Sch. 1 para. 10**; S.I. 2002/1691, art. 2(i); S.I. 2003/966, art. 2(a)
- F9** S. 28(3)(g) and preceding word inserted (18.3.2008 for specified purposes, 27.7.2008 in so far as not already in force) by [Welfare Reform Act 2007 \(c. 5\)](#), s. 70(2), **Sch. 3 para. 17(6)**; S.I. 2008/787, art. 2(1)(3)(a), Sch.

Modifications etc. (not altering text)

- C1** S. 28 applied (with modifications) by [Pension Schemes Act 1993 \(c. 48\)](#), s. 170(7) (as substituted (14.6.1999 for specified purposes, 5.7.1999 in so far as not already in force) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\)](#), ss. 16(2), 28(3) (with Sch. 8); S.I. 1999/1662, art 2, Sch. (with art. 4))
- C2** S. 28 applied (with modifications) (temp.) (17.12.2002) by [The Tax Credits \(Appeals\) Regulations 2002 \(S.I. 2002/2926\)](#), regs. 1(1)(2), **11**
- C3** S. 28 applied (with modifications) (25.2.2005) by [The Child Trust Funds \(Non-tax Appeals\) Regulations 2005 \(S.I. 2005/191\)](#), regs. 1(1), **13**

Commencement Information

- I1** S. 28 in force at 4.3.1999 for specified purposes by S.I. 1999/528, art. 2(a), **Sch.**
- I2** S. 28 in force at 29.11.1999 for specified purposes by S.I. 1999/3178, art. 2(1)(a)(2), **Sch. 1** (with art. 4, Schs. 21-23)
- I3** S. 28(1)(2)(3)(a)-(c) in force at 5.7.1999 for specified purposes by S.I. 1999/1958, art. 2(1)(b), **Sch. 1** (with art. 5, Sch. 12)
- I4** S. 28(1)(2)(3)(a)(b) in force at 6.9.1999 for specified purposes by S.I. 1999/2422, art. 2(c), **Sch. 1** (with art. 4, Sch. 14)
- I5** S. 28(1)(2)(3)(a)(b) in force at 5.10.1999 for specified purposes by S.I. 1999/2739, art. 2, **Sch. 1** (with art. 3, Sch. 2)
- I6** S. 28(1)(2)(3)(a)(b)(d) in force at 18.10.1999 for specified purposes by S.I. 1999/2860, art. 2(c), **Sch. 1** (with art. 4, Schs. 16-18)

Status:

Point in time view as at 03/11/2008. This version of this provision has been superseded.

Changes to legislation:

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