

Status: Point in time view as at 29/04/2013.

Changes to legislation: Welfare Reform Act 2012, Cross Heading: Social Security (Recovery of Benefits) Act 1997 (c. 27) is up to date with all changes known to be in force on or before 07 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)

SCHEDULES

SCHEDULE 11

POWER TO REQUIRE CONSIDERATION OF REVISION BEFORE APPEAL

Social Security (Recovery of Benefits) Act 1997 (c. 27)

9 The Social Security (Recovery of Benefits) Act 1997 is amended as follows.

Commencement Information

- I1** Sch. 11 para. 9 in force at 25.2.2013 for specified purposes by S.I. 2013/358, art. 2(1), Sch. 1 paras. 18, 24
I2 Sch. 11 para. 9 in force at 29.4.2013 in so far as not already in force by S.I. 2013/983, art. 8

- 10 (1) Section 11 (appeals against certificates) is amended as follows.
- (2) After subsection (2) there is inserted—
- “(2A) Regulations may provide that, in such cases or circumstances as may be prescribed, an appeal may be made under this section only if the Secretary of State has reviewed the certificate under section 10.
- (2B) The regulations may in particular provide that that condition is met only where—
- (a) the review by the Secretary of State was on an application,
- (b) the Secretary of State considered issues of a specified description, or
- (c) the review by the Secretary of State satisfied any other condition specified in the regulations.”
- (3) In subsection (5)(c) after “any such appeal“ there is inserted “(or, where in accordance with regulations under subsection (2A) there is no right of appeal, any purported appeal)”.

Commencement Information

- I3** Sch. 11 para. 10 in force at 25.2.2013 for specified purposes by S.I. 2013/358, art. 2(1), Sch. 1 paras. 18, 24
I4 Sch. 11 para. 10 in force at 29.4.2013 in so far as not already in force by S.I. 2013/983, art. 8

- 11 (1) Section 30 of that Act (regulations and orders) is amended as follows.
- (2) In subsection (2) after “regulations under section” there is inserted “ 11(2A) or ”.
- (3) After that subsection there is inserted—
- “(2A) A statutory instrument containing regulations under section 11(2A) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.”

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Commencement Information

- I5** Sch. 11 para. 11 in force at 25.2.2013 for specified purposes by S.I. 2013/358, art. 2(1), Sch. 1 paras. 18, 24
- I6** Sch. 11 para. 11 in force at 29.4.2013 in so far as not already in force by S.I. 2013/983, art. 8

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