

STATUTORY INSTRUMENTS

**1999 No. 991**

**The Social Security and Child Support  
(Decisions and Appeals) Regulations 1999**

**PART V**

**APPEAL TRIBUNALS FOR SOCIAL SECURITY CONTRACTING  
OUT OF PENSIONS VACCINE DAMAGE AND CHILD SUPPORT**

**CHAPTER I**

**THE PANEL AND APPEAL TRIBUNALS**

**Persons appointed to the panel**

**35.** [F1For the purposes of section 6(3), the panel shall include persons with the qualifications specified in Schedule 3.]

**Textual Amendments**

**F1** Regs. 35-38 omitted (3.11.2008) by virtue of [Tribunals, Courts and Enforcement Act 2007 \(Transitional and Consequential Provisions\) Order 2008 \(S.I. 2008/2683\)](#), art. 1, **Sch. 1 para. 124** (with arts. 3(2)(b), 4)

**Composition of appeal tribunals**

**36.**—( 1 ) [F1 Subject to the following provisions of this regulation, an appeal tribunal <sup>F2</sup> ... shall consist of a legally qualified panel member. ]

[F3(2) Subject to [F4paragraphs (3) to (5) [F5and (8)]]], an appeal tribunal shall consist of a legally qualified panel member and—

(a) [F1a medically qualified panel member where—

(i) the issue, or one of the issues, raised on the appeal is whether the [F6personal capability assessment] is satisfied; or

(ii) the appeal is made under section 11(1)(b) of the 1997 Act; or

[F7[ the appeal is made under section 157(1) of the Health and Social Care (Community F8(iii) Health and Standards) Act 2003; or]]]

F1(b) .....

F1(3) .....

F1(4) .....

( 5 ) [<sup>F1</sup>Where the composition of an appeal tribunal is prescribed under [<sup>F9</sup>paragraph (1), (2) (a)] [<sup>F10</sup>or (3)], the President may determine that the appeal tribunal shall include such an additional member drawn from the panel constituted under section 6 as he considers appropriate for the purposes of providing further experience for that additional member or for assisting the President in the monitoring of standards of decision making by panel members.]

<sup>F1</sup>( 6 ) .....

<sup>F1</sup>( 7 ) .....

[<sup>F11</sup>(8) [<sup>F1</sup>A person shall not act as a medically qualified panel member of an appeal tribunal in any appeal if he has at any time advised or prepared a report upon any person whose medical condition is relevant to the issue in the appeal, or has at any time regularly attended such a person.]]

<sup>F12</sup>( 9 ) .....

#### Textual Amendments

- F1** Regs. 35-38 omitted (3.11.2008) by virtue of [Tribunals, Courts and Enforcement Act 2007 \(Transitional and Consequential Provisions\) Order 2008 \(S.I. 2008/2683\)](#) , art. 1 , **Sch. 1 para. 124** (with arts. 3(2)(b) , 4 )
- F2** Words in reg. 36(1) omitted (19.6.2000) by [The Social Security and Child Support \(Decisions and Appeals\) \(Amendment\) Regulations 2000 \(SI 2000/1596\)](#) , reg. 1(1), 24(a)
- F3** Reg. 36(2) substituted (1.6.1999) by [The Social Security and Child Support \(Decisions and Appeals\) \(Amendment\) Regulations 1999 \(SI 1999/1466\)](#) , reg. 1, 2(a)
- F4** Words in reg. 36(2) substituted (19.6.2000) by [The Social Security and Child Support \(Decisions and Appeals\) \(Amendment\) Regulations 2000 \(SI 2000/1596\)](#) , reg. 1(1), 24(b)
- F5** Words in reg. 36(2) substituted (21.12.2004) by [Social Security, Child Support and Tax Credits \(Decisions and Appeals\) Amendment Regulations 2004 \(S.I. 2004/3368\)](#) , regs. 1 , **2(4)(a)**
- F6** Words in reg. 36(2)(a)(i) substituted (19.6.2000) by [The Social Security and Child Support \(Decisions and Appeals\) \(Amendment\) Regulations 2000 \(SI 2000/1596\)](#) , reg. 1(1), 24(c)
- F7** Reg. 36(2)(a)(iii) inserted (1.4.2007) by [Health and Social Care \(Community Health and Standards\) Act 2003 Supplementary Provisions \(Recovery of NHS Charges\) \(Scotland\) Order 2007 \(S.S.I. 2007/223\)](#) , arts. 1(1) , **2**
- F8** Reg. 36(2)(a)(iii) inserted (13.4.2007) by [Health and Social Care \(Community Health and Standards\) Act 2003 Consequential Provisions \(Recovery of NHS Charges\) Order 2007 \(S.I. 2007/917\)](#) , arts. 1(1) , **2**
- F9** Words in reg. 36(5) substituted (1.6.1999) by [The Social Security and Child Support \(Decisions and Appeals\) \(Amendment\) Regulations 1999 \(SI 1999/1466\)](#) , reg. 1, 2(b)
- F10** Words in reg. 36(5) substituted (21.12.2004) by [Social Security, Child Support and Tax Credits \(Decisions and Appeals\) Amendment Regulations 2004 \(S.I. 2004/3368\)](#) , regs. 1 , **2(4)(b)**
- F11** Reg. 36(8)(9) inserted (19.6.2000) by [The Social Security and Child Support \(Decisions and Appeals\) \(Amendment\) Regulations 2000 \(SI 2000/1596\)](#) , reg. 1(1), 24(h)
- F12** Reg. 36(9) omitted (21.12.2004) by virtue of [Social Security, Child Support and Tax Credits \(Decisions and Appeals\) Amendment Regulations 2004 \(S.I. 2004/3368\)](#) , regs. 1 , **2(4)(c)**

#### Modifications etc. (not altering text)

- C1** Reg. 36 applied (mods) (29.1.2007) by [Personal Injuries \(NHS Charges\) \(Reviews and Appeals\) and Road Traffic \(NHS Charges\) \(Reviews and Appeals\) \(Amendment\) Regulations 2006 \(S.I. 2006/3398\)](#) , regs. 1(1) , **8**
- C2** Reg. 36(1)(5) applied (with modifications) (29.1.2007) by [Personal Injuries \(NHS Charges\) \(Reviews and Appeals\) \(Scotland\) Regulations 2006 \(S.S.I. 2006/593\)](#) , regs. 1(1) , **8** (with reg. 8(4) )

### Assignment of clerks to appeal tribunals: function of clerks

**37.** [<sup>F1</sup>The Secretary of State shall assign a clerk to service each appeal tribunal and the clerk so assigned shall be responsible for summoning members of the panel constituted under section 6 to serve on the tribunal.]

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#### Textual Amendments

- F1** Regs. 35-38 omitted (3.11.2008) by virtue of Tribunals, Courts and Enforcement Act 2007 (Transitional and Consequential Provisions) Order 2008 (S.I. 2008/2683) , art. 1 , **Sch. 1 para. 124** (with arts. 3(2)(b) , 4 )

**Changes to legislation:**

There are currently no known outstanding effects for the The Social Security and Child Support (Decisions and Appeals) Regulations 1999, CHAPTER I.