
STATUTORY INSTRUMENTS

1999 No. 991

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

PART II

**^{F1}REVISIONS, SUPERSESSIONS AND OTHER MATTERS
SOCIAL SECURITY [^{F1}AND CHILD SUPPORT]**

CHAPTER I

REVISIONS

Late application for a revision

4.—(1) The time limit for making an application for a revision specified in regulation 3(1) or (3) [^{F1}[^{F2}or 3A(1)(a)]] may be extended where the conditions specified in the following provisions of this regulation are satisfied.

(2) An application for an extension of time shall be made by [^{F3}[^{F4}the relevant person,]] the claimant or a person acting on his behalf.

(3) An application shall—

- (a) contain particulars of the grounds on which the extension of time is sought and shall contain sufficient details of the decision which it is sought to have revised to enable that decision to be identified; and
- (b) be made within 13 months of the date of notification of the decision which it is sought to have revised^{F5}, but if the applicant has requested a statement of the reasons in accordance with [^{F6}regulation 3ZA(3)(b) or] regulation 28(1)(b) the 13 month period shall be extended by—
 - (i) if the statement is provided within one month of the notification, an additional 14 days; or
 - (ii) if it is provided after the elapse of a period after the one month ends, the length of that period and an additional 14 days.]

(4) An application for an extension of time shall not be granted unless the applicant satisfies the Secretary of State^{F7}, the Commission^{F8} or the Board or an officer of the Board] that—

- (a) it is reasonable to grant the application;
- (b) the application for revision has merit^{F9}, except in a case to which regulation 3ZA or 3B applies; and
- (c) special circumstances are relevant to the application and as a result of those special circumstances it was not practicable for the application to be made within the time limit specified in regulation 3 [^{F10}[^{F11}or 3A]].

(5) In determining whether it is reasonable to grant an application, the Secretary of State^{F7}, the Commission^{F8} or the Board or an officer of the Board shall have regard to the principle that the greater the amount of time that has elapsed between the expiration of the time specified in regulation 3(1) and (3) ^{F12}^{F13} and regulation 3A(1)(a)] for applying for a revision and the making of the application for an extension of time, the more compelling should be the special circumstances on which the application is based.

(6) In determining whether it is reasonable to grant the application for an extension of time^{F14}, except in a case to which regulation 3ZA or 3B applies,] no account shall be taken of the following—

- (a) that the applicant or any person acting for him was unaware of or misunderstood the law applicable to his case (including ignorance or misunderstanding of the time limits imposed by these Regulations); or
- (b) that ^{F15}the Upper Tribunal] or a court has taken a different view of the law from that previously understood and applied.

(7) An application under this regulation for an extension of time which has been refused may not be renewed.

Textual Amendments

- F1** Words in reg. 4(1) omitted (10.12.2012 coming into force in accordance with reg. 1(4)) by virtue of [The Child Support \(Meaning of Child and New Calculation Rules\) \(Consequential and Miscellaneous Amendment\) Regulations 2012 \(S.I. 2012/2785\)](#), regs. 1(4), **6(4)(a)**
- F2** Words in reg. 4(1) inserted (3.3.2003 for specified purposes and in accordance with reg. 1(1), (2) of the amending S.I.) by [The Child Support \(Decisions and Appeals\) \(Amendment\) Regulations 2000 \(S.I. 2000/3185\)](#), reg. 1(1)(2), **6(a)** (with reg. 14(3)) (see S.I. 2003/192, art. 3, Sch.)
- F3** Words in reg. 4(2) omitted (10.12.2012 coming into force in accordance with reg. 1(4)) by virtue of [The Child Support \(Meaning of Child and New Calculation Rules\) \(Consequential and Miscellaneous Amendment\) Regulations 2012 \(S.I. 2012/2785\)](#), regs. 1(4), **6(4)(b)**
- F4** Words in reg. 4(2) inserted (3.3.2003 for specified purposes and in accordance with reg. 1(1), (2) of the amending S.I.) by [The Child Support \(Decisions and Appeals\) \(Amendment\) Regulations 2000 \(S.I. 2000/3185\)](#), reg. 1(1)(2), **6(b)** (with reg. 14(3)) (see S.I. 2003/192, art. 3, Sch.)
- F5** Words in reg. 4(3)(b) added (18.3.2005) by [The Social Security, Child Support and Tax Credits \(Miscellaneous Amendments\) Regulations 2005 \(S.I. 2005/337\)](#), regs. 1, **2(3)**
- F6** Words in reg. 4(3)(b) inserted (28.10.2013) by [The Social Security, Child Support, Vaccine Damage and Other Payments \(Decisions and Appeals\) \(Amendment\) Regulations 2013 \(S.I. 2013/2380\)](#), regs. 1(2), **4(5)(a)**
- F7** Words in reg. 4 inserted (6.4.2009) by [Child Support \(Miscellaneous Amendments\) Regulations 2009 \(S.I. 2009/396\)](#), regs. 1, **4(3)** (with reg. 7)
- F8** Words in reg. 4(4)(5) inserted (with effect in accordance with reg. 1(2) of the amending S.I.) by [The Tax Credits \(Decisions and Appeals\) \(Amendment\) Regulations 1999 \(S.I. 1999/2570\)](#), regs. 1, **7**
- F9** Words in reg. 4(4)(b) inserted (28.10.2013) by [The Social Security, Child Support, Vaccine Damage and Other Payments \(Decisions and Appeals\) \(Amendment\) Regulations 2013 \(S.I. 2013/2380\)](#), regs. 1(2), **4(5)(b)**
- F10** Words in reg. 4(4)(c) omitted (10.12.2012 coming into force in accordance with reg. 1(4)) by virtue of [The Child Support \(Meaning of Child and New Calculation Rules\) \(Consequential and Miscellaneous Amendment\) Regulations 2012 \(S.I. 2012/2785\)](#), regs. 1(4), **6(4)(c)**
- F11** Words in reg. 4(4)(c) inserted (3.3.2003 for specified purposes and in accordance with reg. 1(1), (2) of the amending S.I.) by [The Child Support \(Decisions and Appeals\) \(Amendment\) Regulations 2000 \(S.I. 2000/3185\)](#), reg. 1(1)(2), **6(c)** (with reg. 14(3)) (see S.I. 2003/192, art. 3, Sch.)

- F12** Words in reg. 4(5) omitted (10.12.2012 coming into force in accordance with reg. 1(4)) by virtue of [The Child Support \(Meaning of Child and New Calculation Rules\) \(Consequential and Miscellaneous Amendment\) Regulations 2012 \(S.I. 2012/2785\)](#), regs. 1(4), **6(4)(d)**
- F13** Words in reg. 4(5) added (3.3.2003 for specified purposes and in accordance with reg. 1(1), (2) of the amending S.I.) by [The Child Support \(Decisions and Appeals\) \(Amendment\) Regulations 2000 \(S.I. 2000/3185\)](#), reg. 1(1)(2), **6(d)** (with reg. 14(3)) (see S.I. 2003/192, art. 3, Sch.)
- F14** Words in reg. 4(6) inserted (28.10.2013) by [The Social Security, Child Support, Vaccine Damage and Other Payments \(Decisions and Appeals\) \(Amendment\) Regulations 2013 \(S.I. 2013/2380\)](#), regs. 1(2), **4(5)(c)**
- F15** Words in reg. 4(6)(b) substituted (3.11.2008) by [Tribunals, Courts and Enforcement Act 2007 \(Transitional and Consequential Provisions\) Order 2008 \(S.I. 2008/2683\)](#), art. 1, **Sch. 1 para. 100**

Changes to legislation:

There are currently no known outstanding effects for the The Social Security and Child Support (Decisions and Appeals) Regulations 1999, Section 4.