

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 III

STRIKING OUT APPEALS

Appeals which may be struck out

46 .—^{F1}(1) Subject to paragraphs (2) and (3), an appeal may be struck out by the clerk to the appeal tribunal—

- (a) where it is an out of jurisdiction appeal and the appellant has been notified by the Secretary of State that an appeal brought against such a decision may be struck out;
- (b) for want of prosecution including an appeal not made within the time specified in these Regulations; ^{F2} ...
- (c) ^{F3} ... for failure of the appellant to comply with a direction given under these Regulations where the appellant has been notified that failure to comply with the direction could result in the appeal being struck out [^{F4} ; or]

^{F5}(d) for failure of the appellant to notify the clerk to the appeal tribunal, in accordance with regulation 39, whether or not he wishes to have an oral hearing of his appeal.]

(2) Where the clerk to the appeal tribunal determines to strike out the appeal, he shall notify the appellant that his appeal has been struck out and of the procedure for reinstatement of the appeal as specified in regulation 47.

(3) The clerk to the appeal tribunal may refer any matter for determination under this regulation to a legally qualified panel member for decision by the panel member rather than the clerk to the appeal tribunal.

^{F6}(4)]

Textual Amendments

F1 Regs. 39-47 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. 126** (with arts. 3(2)(c) , 4)

F2 Word in reg. 46(1)(b) 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(6)(a)(i)**

Changes to legislation: There are currently no known outstanding effects for the The Social Security and Child Support (Decisions and Appeals) Regulations 1999, Section 46 . (See end of Document for details)

- F3** Words in reg. 46(1)(c) 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(6)(a)(ii)**
- F4** Word in reg. 46(1)(c) added (21.12.2004) by Social Security, Child Support and Tax Credits (Decisions and Appeals) Amendment Regulations 2004 (S.I. 2004/3368) , regs. 1 , **2(6)(a)(ii)**
- F5** Reg. 46(1)(d) added (21.12.2004) by Social Security, Child Support and Tax Credits (Decisions and Appeals) Amendment Regulations 2004 (S.I. 2004/3368) , regs. 1 , **2(6)(a)(iii)**
- F6** Reg. 46(4) 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(6)(b)**

Modifications etc. (not altering text)

- C1** Reg. 46 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. 46 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))

Changes to legislation:

There are currently no known outstanding effects for the The Social Security and Child Support (Decisions and Appeals) Regulations 1999, Section 46 .