

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

Reinstatement of struck out appeals

47.—^{F1}[^{F2}(1) The clerk to the appeal tribunal may reinstate an appeal which has been struck out in accordance with regulation ^{F3}46(1)(d)] where—

- (a) the appellant has made representations to him or, as the case may be, further representations in support of his appeal with reasons why he considers that his appeal should not have been struck out;
- (b) the representations are made in writing within one month of the order to strike out the appeal being issued; and
- (c) the clerk is satisfied in the light of those representations that there are reasonable grounds for reinstating the appeal

but if the clerk is not satisfied that there are reasonable grounds for reinstatement a legally qualified panel member shall consider whether the appeal should be reinstated in accordance with paragraph (2).]

^{F4}(2)] A legally qualified panel member may reinstate an appeal which has been struck out in accordance with regulation 46 ^{F5} ... where—

- (a) the appellant has made representations, or as the case may be, further representations in support of his appeal with reasons why he considers that his appeal should not have been struck out, to the clerk to the appeal tribunal, in writing within one month of the order to strike out the appeal being issued, and the panel member is satisfied in the light of those representations that there are reasonable grounds for reinstating the appeal;

^{F6}(b)

- (c) the panel member is satisfied that the appeal is not an appeal which may be struck out under regulation 46; or
- (d) the panel member is satisfied that notwithstanding that the appeal is one which may be struck out under regulation 46, it is not in the interests of justice for the appeal to be struck out.]

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** Reg. 47(1) inserted (20.5.2002) by Social Security and Child Support (Decisions and Appeals) (Miscellaneous Amendments) Regulations 2002 (S.I. 2002/1379) , regs. 1(1) , **13**
- F3** Word in reg. 47(1) 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(7)(a)**
- F4** Reg. 47(2) reg. 47 re-numbered reg. 47(2) (20.5.2002) by Social Security and Child Support (Decisions and Appeals) (Miscellaneous Amendments) Regulations 2002 (S.I. 2002/1379) , regs. 1(1) , **13**
- F5** Words in reg. 47(2) 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(7)(b)(i)**
- F6** Reg. 47(2)(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(7)(b)(ii)**

Modifications etc. (not altering text)

- C1** Reg. 47 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))
- C2** Reg. 47 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**

Changes to legislation:

There are currently no known outstanding effects for the The Social Security and Child Support (Decisions and Appeals) Regulations 1999, Section 47 .