
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

Date from which a decision revised under section 9 takes effect

5.—^{F1}(1) Where, on a revision under section 9, the Secretary of State [^{F2}or the Board or an officer of the Board] decides that the date from which the decision under section 8 or 10 (“the original decision”) took effect was erroneous, the decision under section 9 shall take effect on the date from which the original decision would have taken effect had the error not been made.

^{F3}(2) Where—

- (a) a person attains pensionable age, claims a retirement pension after the prescribed time for claiming and the Secretary of State decides (“the original decision”) that he is not entitled because—
 - (i) in the case of a Category A retirement pension, the person has not satisfied the contribution conditions; or
 - (ii) in the case of a Category B retirement pension, the person’s spouse [^{F4}or civil partner] has not satisfied the contribution conditions;
- (b) in accordance with regulation 50A of the Social Security (Contributions) Regulations 2001 (Class 3 contributions: tax years 1996-97 to 2001-02) the Board subsequently accepts Class 3 contributions paid after the due date by the claimant or, as the case may be, the spouse [^{F5}or civil partner];
- (c) in accordance with regulation 6A of the Social Security (Crediting and Treatment of Contributions, and National Insurance Numbers) Regulations 2001 the contributions are treated as paid on a date earlier than the date on which they were paid; and
- (d) the Secretary of State revises the original decision in accordance with regulation 11A(4) (a),

the revised decision shall take effect from—

- (i) 1st October 1998; or
- (ii) the date on which the claimant attained pensionable age in the case of a Category A pension, or, in the case of a Category B pension, the date on which the claimant’s spouse [^{F6}or civil partner] attained pensionable age,

whichever is later.]

Textual Amendments

- F1** Reg. 5(1): reg. 5 renumbered as reg. 5(1) (27.9.2004) by [Social Security \(Retirement Pensions\) Amendment Regulations 2004 \(S.I. 2004/2283\)](#), regs. 1, **3**
- F2** Words in reg. 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, **8**
- F3** Reg. 5(2) added (27.9.2004) by [Social Security \(Retirement Pensions\) Amendment Regulations 2004 \(S.I. 2004/2283\)](#), regs. 1, **3**
- F4** Words in reg. 5(2)(a)(ii) inserted (5.12.2005) by [Social Security \(Civil Partnership\) \(Consequential Amendments\) Regulations 2005 \(S.I. 2005/2878\)](#), regs. 1, **8(3)**
- F5** Words in reg. 5(2)(b) inserted (5.12.2005) by [Social Security \(Civil Partnership\) \(Consequential Amendments\) Regulations 2005 \(S.I. 2005/2878\)](#), regs. 1, **8(3)**
- F6** Words in reg. 5(2)(ii) inserted (5.12.2005) by [Social Security \(Civil Partnership\) \(Consequential Amendments\) Regulations 2005 \(S.I. 2005/2878\)](#), regs. 1, **8(3)**

Changes to legislation:

There are currently no known outstanding effects for the The Social Security and Child Support (Decisions and Appeals) Regulations 1999, Section 5.