
STATUTORY INSTRUMENTS

1999 No. 991

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

PART II

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

**CHAPTER II
SUPERSESIONS**

^{F1}Supersession of child support decisions

6A.—^{F3}(1) This regulation and regulation 6B set out the circumstances in which a decision may be made by the [^{F6}Secretary of State] under section 17 of the Child Support Act (decisions superseding earlier decisions).

(2) A decision may be superseded by a decision of the [^{F7}Secretary of State], on an application or acting under [^{F7}the Secretary of State's] own initiative, where—

- (a) there has been a relevant change of circumstances since the decision had effect or it is expected that a relevant change of circumstances will occur;
- (b) the decision was made in ignorance of, or was based on a mistake as to, some material fact; or
- (c) the decision was wrong in law (unless it was a decision made on appeal).

(3) The circumstances in which a decision may be superseded include where the relevant change of circumstances causes the maintenance calculation to cease by virtue of paragraph 16 of Schedule 1 to the Child Support Act or where the [^{F8}Secretary of State] no longer has jurisdiction by virtue of section 44 of that Act.

(4) A decision may be superseded by a decision of the [^{F8}Secretary of State] where the [^{F8}Secretary of State] receives an application for a variation of the decision under section 28G of the Child Support Act.

(5) A decision may not be superseded in circumstances where it may be revised.

(6) A decision to refuse an application for a maintenance calculation may not be superseded.]]]

Textual Amendments

- F1** Reg. 6A - Reg. 6B inserted (3.3.2003 for specified purposes being the date on which 2000 c. 19, s. 9 comes into force for those purposes by virtue of S.I. 2003/192, art. 3) by [The Child Support \(Decisions and Appeals\) \(Amendment\) Regulations 2000 \(S.I. 2000/3185\)](#), reg. 1(1)(2), **8** (with reg. 14(3)) (see S.I. 2003/192, art. 3, Sch.)

- F2** Reg. 6A 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(3)**
- F3** Reg. 6A substituted (6.4.2009) by [Child Support \(Miscellaneous Amendments\) Regulations 2009 \(S.I. 2009/396\)](#), regs. 1, **4(4)** (with reg. 7)
- F4** Reg. 6A(4A) inserted (5.5.2003 and for specified purposes, being the date on which 2000 c. 19, s. 9 comes into force for those purposes by virtue of S.I. 2003/192, art. 3, 5.5.2003 in so far as not already in force) by [The Social Security and Child Support \(Miscellaneous Amendments\) Regulations 2003 \(S.I. 2003/1050\)](#), regs. 1(1)(b), **3(4)** (with reg. 6)
- F5** Words in reg. 6A(4A) substituted (14.5.2012 retrospective to 3.11.2008 in accordance with reg. 1(2)) by [The Social Security and Child Support \(Supersession of Appeal Decisions\) Regulations 2012 \(S.I. 2012/1267\)](#), regs. 1, **4(3)**
- F6** Words in reg. 6A(1) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\)](#), art. 1(2), **Sch. para. 113(4)(a)**
- F7** Words in reg. 6A(2) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\)](#), art. 1(2), **Sch. para. 113(4)(b)**
- F8** Words in reg. 6A(3)(4) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\)](#), art. 1(2), **Sch. para. 113(4)(c)**

Changes to legislation:

There are currently no known outstanding effects for the The Social Security and Child Support (Decisions and Appeals) Regulations 1999, Section 6A.