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STATUTORY INSTRUMENTS

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**1999 No. 991**

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

**PART II**

**<sup>F1</sup>REVISIONS, SUPERSESIONS AND OTHER MATTERS  
SOCIAL SECURITY [<sup>F1</sup>AND CHILD SUPPORT]**

**CHAPTER II  
SUPERSESIONS**

**Date from which a decision superseded under section 10 takes effect**

7.—<sup>F1</sup>(1) This regulation—

- (a) [<sup>F2</sup>is, except for [<sup>F3</sup>paragraphs (2)(b)[<sup>F4</sup>, (bb)][<sup>F5</sup>or (be)], (29) and (30)] and (29), subject to Schedules 3A[<sup>F6</sup>, 3B and 3C]; and]
- (b) contains exceptions to the provisions of section 10(5) as to the date from which a decision under section 10 which supersedes an earlier decision is to take effect.]

(2) Where a decision under section 10 is made on the ground that there has been, or it is anticipated that there will be, a relevant change of circumstances since the decision [<sup>F7</sup>had effect][<sup>F8</sup>or, in the case of an advance award, since the decision was made], the decision under section 10 shall take effect—

<sup>F9</sup>(a) from the date the change occurred or, where the change does not have effect until a later date, from the first date on which such effect occurs where—

- (i) the decision is advantageous to the claimant; and
- (ii) the change was notified to an appropriate office within one month of the change occurring or within such longer period as may be allowed under regulation 8 for the claimant's failure to notify the change on an earlier date; and
- (ii) head (i) of sub-paragraph (c) shall be omitted.]

- (b) where the decision is advantageous to the claimant and the change was notified to an appropriate office more than one month after the change occurred or after the expiry of any such longer period as may have been allowed under regulation 8—

- (i) in the case of a claimant who is in receipt of income support<sup>F10</sup>, jobseeker's allowance<sup>F11</sup>, state pension credit or an employment and support allowance]] and benefit is paid in arrears, from the beginning of the benefit week in which the notification was made;
- (ii) in the case of a claimant who is in receipt of income support<sup>F10</sup>, jobseeker's allowance or state pension credit] and benefit is paid in advance and the date of notification is the first day of a benefit week from that date and otherwise, from

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the beginning of the benefit week following the week in which the notification was made; or

(iii) in any other case, the date of notification of the relevant change of circumstances; or

[<sup>F12</sup>(bb) where the decision is advantageous to the claimant and is made on the Secretary of State’s own initiative—

(i) except where paragraph (ii) applies, from the beginning of the benefit week in which the Secretary of State commenced action with a view to supersession; or

(ii) in the case of a claimant who is in receipt of income support, jobseeker’s allowance or state pension credit where benefit is paid in advance and the Secretary of State commenced action with a view to supersession on a day which was not the first day of the benefit week, from the beginning of the benefit week following the week in which the Secretary of State commenced such action;]

[<sup>F13</sup>(bc) where—

(i) the claimant is a disabled person or a disabled person’s partner;

(ii) the decision is advantageous to the claimant; and

(iii) the decision is made in connection with the cessation of payment of a carer’s allowance relating to that disabled person,

the day after the last day for which carer’s allowance was paid to a person other than the claimant or the claimant’s partner;]

<sup>F14</sup>( bd) .....

[<sup>F15</sup>(be) in the case of a claimant who is in receipt of an employment and support allowance and the claimant makes an application which contains an express statement that he is terminally ill within the meaning of regulation 2(1) of the Employment and Support Allowance Regulations , from the date the claimant became terminally ill;]

(c) where the decision is not advantageous to the claimant—

<sup>F16</sup>( i) .....

[<sup>F17</sup>(ii) in the case of a disability benefit decision, or an incapacity benefit decision where there has been an incapacity determination [<sup>F18</sup>or an employment and support allowance decision where there has been a limited capability for work determination] (whether before or after the decision), where the Secretary of State is satisfied that in relation to a disability determination embodied in or necessary to the disability benefit decision, or the incapacity determination [<sup>F18</sup>or an employment and support allowance decision where there has been a limited capability for work determination], the claimant or payee failed to notify an appropriate office of a change of circumstances which regulations under the Administration Act required him to notify, and the claimant or payee, as the case may be, knew or could reasonably have been expected to know that the change of circumstances should have been notified,

(aa) from the date on which the claimant or payee, as the case may be, ought to have notified the change of circumstances, or

(bb) if more than one change has taken place between the date from which the decision to be superseded took effect and the date of the superseding decision, from the date on which the first change ought to have been notified, or]

<sup>F19</sup>( iii) .....

- [(<sup>F20</sup>iv)] in the case of a disability benefit decision, where the change of circumstances is not in relation to the disability determination embodied in or necessary to the disability benefit decision, from the date of the change; or
- (v) in any other case, except in the case of a decision which supersedes a disability benefit decision, from the date of the change.]

[(<sup>F21</sup>2A) (<sup>F22</sup>.....)]

[(<sup>F23</sup>3)] For the purposes of paragraphs (2) and (8) “benefit week” has the same meaning, as the case may be, as in—

- (a) regulation 2(1) of the Income Support Regulations;
- (b) regulation 1(3) of the Jobseeker’s Allowance Regulations;
- (c) regulation 1(2) of the State Pension Credit Regulations; or
- (d) regulation 2(1) of the Employment and Support Allowance Regulations.]

(4) In paragraph (2) a decision which is to the advantage of the claimant includes a decision specified in regulation 30(2)(a) to (f).

[(<sup>F24</sup>5)] Where the Secretary of State supersedes a decision made by [(<sup>F25</sup>an appeal tribunal, the First-tier Tribunal, the Upper Tribunal or a Commissioner)] on the grounds specified in regulation 6(2)(c)[(<sup>F26</sup>i)] (ignorance of, or mistake as to, a material fact), the decision under section 10 shall take effect, in a case where, as a result of that ignorance of or mistake as to material fact, the decision to be superseded was more advantageous to the claimant than it would otherwise have been and which either—

- (a) does not relate to a disability benefit decision or an incapacity benefit decision where there has been an incapacity determination; or
- (b) relates to a disability benefit decision or an incapacity benefit decision where there has been an incapacity determination, and the Secretary of State is satisfied that at the time the decision was made the claimant or payee knew or could reasonably have been expected to know of the fact in question and that it was relevant to the decision,

from the date on which the decision of [(<sup>F25</sup>an appeal tribunal, the First-tier Tribunal, the Upper Tribunal or a Commissioner)] took, or was to take, effect.]

(6) Any decision made under section 10 in consequence of a decision which is a relevant determination for the purposes of section 27 shall take effect as from the date of the relevant determination.

[(<sup>F27</sup>6A)] Where—

- (a) there is a decision which is a relevant determination for the purposes of section 27 and the Secretary of State makes a benefit decision of the kind specified in section 27(1)(b);
- (b) there is an appeal against the determination;
- (c) after the benefit decision payment is suspended in accordance with regulation 16(1) and (3)(b)(ii); and
- (d) on appeal a court, within the meaning of section 27, reverses the determination in whole or in part,

a consequential decision by the Secretary of State under section 10 which supersedes his earlier decision under sub-paragraph (a) shall take effect from the date on which the earlier decision took effect.]

[(<sup>F28</sup>7)] A decision which is superseded in accordance with regulation 6(2)(e) or (ee) shall be superseded—

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- (a) subject to sub-paragraph (b), from the date on which entitlement arises to the other relevant benefit [<sup>F29</sup> or [<sup>F30</sup> Scottish disability benefit]] referred to in regulation 6(2)(e)(ii) or (ee) or to an increase in the rate of that other relevant benefit [<sup>F29</sup> or [<sup>F30</sup> Scottish disability benefit]]; or
  - (b) where the claimant or his partner—
    - (i) is not a severely disabled person for the purposes of section 135(5) of the Contributions and Benefits Act (the applicable amount) or section 2(7) of the State Pension Credit Act (guarantee credit) [<sup>F31</sup> or paragraph 6 of Schedule 4 to the Employment and Support Allowance Regulations;]
    - (ii) by virtue of his having—
      - (aa) a non-dependant as defined by regulation 3 of the Income Support Regulations [<sup>F32</sup>, regulation 2 of the Jobseeker’s Allowance Regulations] [<sup>F33</sup> or regulation 71 of the Employment and Support Allowance Regulations]; or
      - (bb) a person residing with him for the purposes of paragraph 1 of Schedule 1 to the State Pension Credit Regulations whose presence may not be ignored in accordance with paragraph 2 of that Schedule,
- at the date the superseded decision would, but for this sub-paragraph, have had effect, from the date on which the claimant or his partner ceased to have a non-dependant or person residing with him or from the date on which the presence of that person was first ignored.]

[<sup>F34</sup>(7A) Where a decision is superseded in accordance with regulation 6(2)(o), [<sup>F35</sup> or (oa)] the superseding decision shall take effect from the day on which a lump sum, or a payment on account of a lump sum, is paid or repaid if that day is the first day of the benefit week but, if it is not, from the next following such day.]

[<sup>F36</sup>(8) A decision to which regulation 6(2)(f) applies shall take effect from the beginning of the period specified in regulation 69(6) of the Jobseeker’s Allowance Regulations.]

[<sup>F37</sup>(8ZA) A decision to which regulation 6(2)(fa) applies shall take effect from the beginning of the period specified in regulation 69A(3) of the Jobseeker’s Allowance Regulations.]

<sup>F38</sup>(8ZB) . . . . .

[<sup>F39</sup>(8A) Where a decision is superseded in accordance with regulation 6(2)(s), the superseding decision shall take effect from the date on which the late or unpaid contribution is treated as paid.]

[<sup>F40</sup>(9) [<sup>F41</sup>Except where paragraph (9A) applies,] a decision relating to attendance allowance or disability living allowance which is advantageous to the claimant and which is made under section 10 on the basis of a relevant change of circumstances shall take effect from—

- (a) [<sup>F42</sup>where the decision is made on the Secretary of State’s own initiative—
  - (i) the date on which the Secretary of State commenced action with a view to supersession; or
  - (ii) subject to paragraph (30), in a case where the relevant circumstances are that there has been a change in the legislation in relation to attendance allowance or disability living allowance, the date on which that change in the legislation had effect;]
- (b) where—
  - (i) the change is relevant to the question of entitlement to a particular rate of benefit; and
  - (ii) the claimant notifies the change before a date one month after he satisfied the conditions of entitlement to that rate or within such longer period as may be allowed under regulation 8,

the <sup>F43</sup>date on which] he satisfied those conditions;

(c) where—

- (i) the change is relevant to the question of whether benefit is payable; and
- (ii) the claimant notifies the change before a date one month after the change or within such longer period as may be allowed under regulation 8,

the <sup>F44</sup>date on which] the change occurred; or

(d) in any other case, the date of the application for the superseding decision.]

<sup>F45</sup>(9A) Where—

- (a) on or after 8th March 2001, the claimant had an award of attendance allowance, carer's allowance, or the care component of disability living allowance;
- (b) the Secretary of State made a superseding decision in accordance with regulation 6(2)(a) to end that award on the ground that there had been, or it was anticipated that there would be, a relevant change of circumstances as a result of the claimant moving, or planning to move, from Great Britain to an EEA state or Switzerland; and
- (c) the Secretary of State supersedes that decision in accordance with regulation 6(2)(b)(i) on the ground that it was erroneous in point of law,

the superseding decision referred to in sub-paragraph (c) shall take effect from 18th October 2007.]

(10) A decision as to an award of incapacity benefit, which is made under section 10 because section 30B(4) of the Contributions and Benefits Act applies to the claimant, shall take effect as from the date on which he became entitled to the highest rate of the care component of disability living allowance.

(11) A decision as to an award of incapacity benefit or severe disablement allowance, which is made under section 10 because the claimant is to be treated as incapable of work under regulation 10 of the Social Security (Incapacity for Work) (General) Regulations 1995 <sup>M1</sup> (certain persons with a severe condition to be treated as incapable of work), shall take effect as from the date he is to be treated as incapable of work.

(12) Where this paragraph applies, a decision under section 10 may be made so as to take effect as from such date not more than eight weeks before—

- (a) the application for supersession; or
- (b) where no application is made, the date on which the decision under section 10 is made,

as is reasonable in the particular circumstances of the case.

<sup>F46</sup>(12A) Paragraph (12) applies where—

- (a) the effect of a decision under section 10 is that owner-occupier loan payments are to be made to a claimant in respect of the claimant's liability to make owner-occupier payments; and
- (b) that decision could not have been made earlier because information necessary to make that decision, requested otherwise than in accordance with paragraph 8 of Schedule 4 to the Loans for Mortgage Interest Regulations (provision of information), had not been supplied to the Secretary of State by the lender.

(12B) Where a claimant is receiving owner-occupier loan payments and there is a reduction in the amount owing in connection with a qualifying loan or alternative finance arrangement (within the meaning in Schedule 1 to the Loans for Mortgage Interest Regulations (meaning of owner-occupier payments)), a decision made under section 10 takes effect—

- (a) on the first anniversary of the date on which the claimant's liability to make owner-occupier payments was first met by an owner-occupier loan payment; or

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- (b) where the reduction in the amount owing in connection with a qualifying loan or alternative finance arrangement occurred after the first anniversary of the date referred to in sub-paragraph (a), on the next anniversary of that date following the date of the reduction.

(12C) Where a claimant is receiving owner-occupier loan payments, an insurance payment deduction is made under regulation 14A(1) of the Loans for Mortgage Interest Regulations (insurance payment deduction) in relation to any decision under section 8 or 10 and there is a change in the amount of the owner-occupier payments payable—

- (a) on a qualifying loan or alternative finance arrangement (within the meaning in Schedule 1 to the Loans for Mortgage Interest Regulations (meaning of owner-occupier payments)) to which those payments relate; or
- (b) on a loan or alternative finance arrangement not so qualifying which is secured on the dwelling occupied as the home to which those payments relate,

a decision under section 10 which is made as a result of that change in the amount of the owner-occupier payments payable shall take effect on whichever of the dates referred to in paragraph (12D) is appropriate in the claimant’s case.

(12D) The date on which a decision under section 10 takes effect for the purposes of paragraph (12C) is—

- (a) the date on which the claimant’s liability to make owner-occupier payments is first met by an owner-occupier loan payment; or
- (b) where the change in the amount of the owner-occupier payments payable occurred after the date referred to in sub-paragraph (a), on the date of the next alteration in the standard rate following the date of that change.

(12E) In paragraph (12D), “standard rate” has the same meaning as it has in regulation 13 of the Loans for Mortgage Interest Regulations (standard rate to be applied under regulations 11 and 12).

(12F) Paragraph (12G) applies where—

- (a) a claimant is awarded state pension credit;
- (b) the claimant or the claimant’s partner has reached pensionable age (within the meaning in section 122(1) of the Contributions and Benefits Act);
- (c) the claimant is in receipt of owner-occupier loan payments; and
- (d) after the date from which sub-paragraph (c) applies—
  - (i) a non-dependant (within the meaning in regulation 2(1) of the Loans for Mortgage Interest Regulations) begins to reside with the claimant; or
  - (ii) there has been a change of circumstances in respect of a non-dependant and this reduces the amount of the owner-occupier loan payments.

(12G) Where this paragraph applies, a decision made under section 10 shall take effect—

- (a) where there is more than one change of the kind specified in paragraph (12F)(d) in respect of the same non-dependant within the same 26 week period, 26 weeks after the date on which the first such change occurred; and
- (b) in any other circumstances, 26 weeks after the date on which a change specified in paragraph (12F)(d) occurred.]

<sup>F47</sup>(13) .....

<sup>F47</sup>(14) .....

<sup>F47</sup>(15) .....

<sup>F47</sup>(16) .....

- F<sup>47</sup>(17) .....
- F<sup>47</sup>(17A) .....
- F<sup>47</sup>(17B) .....
- F<sup>47</sup>(17C) .....
- F<sup>47</sup>(17D) .....
- F<sup>47</sup>(17E) .....
- F<sup>47</sup>(17F) .....
- F<sup>47</sup>(17G) .....

[<sup>F48</sup>(17H) Where the decision is superseded in accordance with regulation 6(2)(a)(i) and the relevant circumstances are that the claimant has a non-dependant who has become entitled to main phase employment and support allowance, the superseding decision shall take effect from the date the main phase employment and support allowance is first paid to the non-dependant.]

- F<sup>49</sup>(18) .....
- F<sup>49</sup>(19) .....
- F<sup>49</sup>(20) .....
- F<sup>49</sup>(21) .....
- F<sup>49</sup>(22) .....
- F<sup>49</sup>(23) .....

(24) Where—

- (a) it has been determined that the amount of a jobseeker’s allowance payable to a young person is to be reduced under regulation 63 of the Jobseeker’s Allowance Regulations because paragraph (1)(b)(iii), (c), (d), (e) or (f) of that regulation (reduced payments under section 17 of the Jobseekers Act) applied in his case; and
- (b) the decision made in consequence of sub-paragraph (a) falls to be superseded by a decision under section 10 because the Secretary of State has subsequently issued a certificate under section 17(4) of the Jobseekers Act with respect to the failure in question,

the decision under section 10 shall take effect as from the same date as the decision made in consequence of sub-paragraph (a) has effect.

[<sup>F50</sup>[<sup>F51</sup>(25) In a case where a decision (“ the first decision ”) has been made that a person failed without good cause to take part in a work-focused interview, the decision under section 10 shall take effect as from—

- (a) the first day of the benefit week to commence for that person following the date of the first decision; or
- (b) in a case where a partner has failed without good cause to take part in a work-focused interview [<sup>F52</sup>in accordance with regulations made under section 2AA of the Administration Act]—
  - (i) the first day of the benefit week to commence for the claimant [<sup>F53</sup>(meaning the person who has been awarded a benefit within section 2AA(2) of the Administration Act at a higher rate referable to that partner)] following the date of the first decision; or
  - (ii) if that date arises five days or less after the day on which the first decision was made, as from the first day of the second benefit week to commence for the claimant following the date of the first decision.]

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(26) In paragraph (25), “benefit week” means any period of 7 days corresponding to the week in respect of which the relevant social security benefit is due to be paid.]

<sup>F54</sup>(27) .....

<sup>F55</sup>(28) A decision to which regulation 6(2)(j) or (k) applies shall take effect from the first day of the disqualification period prescribed for the purposes of section <sup>F56</sup>6B or] 7 of the Social Security Fraud Act 2001.]

<sup>F57</sup>(29) <sup>F58</sup>Subject to paragraphs (29A) and (29B), a] decision to which regulation 6(2)(1) (state pension credit) refers shall take effect from the day following the day on which the assessed income period ends if that day is the first day of the claimant’s benefit week, but if it is not, from the next following such day.]

<sup>F59</sup>(29A) A decision to which regulation 6(2)(l) applies, where—

- (a) the decision is advantageous to the claimant; and
- (b) the information and evidence required under regulation 32(1) of the Claims and Payments Regulations has not been provided within the period allowed under that regulation,

shall take effect from the day the information and evidence required under that regulation is provided if that day is the first day of the claimant’s benefit week, but, if it is not, from the next following such day.

(29B) A decision to which regulation 6(2)(l) applies, where—

- (a) the decision is disadvantageous to the claimant; and
- (b) the information and evidence required under regulation 32(1) of the Claims and Payments Regulations has not been provided within the period allowed under that regulation,

shall take effect from the day after the period allowed under that regulation expired.

(29C) Except where there is a change of circumstances during the period in which the Secretary of State was prevented from specifying a new assessed income period under regulation 10(1) of the State Pension Credit Regulations, a decision to which regulation 6(2)(m) applies shall take effect from the day on which the information and evidence required under regulation 32(6)(a) of the Claims and Payments Regulations was provided.]

<sup>F60</sup>(30) Where a decision is superseded in accordance with regulation 6(2)(a)(i) and the relevant circumstances are that there has been a change in the legislation in relation to a relevant benefit, the decision under section 10 shall take effect from the date on which that change in the legislation had effect.

[  
<sup>F61</sup>(30A) Where a decision is superseded in accordance with regulation 6(2)(a)(ii) and the relevant change of circumstances is the coming into force of a change in the legislation in relation to a relevant benefit, the decision under section 10 shall take effect from the date on which that change in the legislation takes effect.]

(31) Where a decision is superseded in accordance with regulation 6(2)(a)(ii) and the relevant circumstances are that—

- (a) a personal capability assessment has been carried out in the case of a person to whom section 171C(4) of the Contributions and Benefits Act applies; and
- (b) the own occupation test remains applicable to him under section 171B(3) of that Act,

the decision under section 10 shall take effect on the day <sup>F62</sup> ... on which the own occupation test is no longer applicable to that person.

(32) For the purposes of paragraph (31)—



- (a) “personal capability assessment” has the same meaning as in regulation 24 of the Social Security (Incapacity for Work) (General) Regulations 1995;
- (b) “own occupation test” has the same meaning as in section 171B(2) of the Contributions and Benefits Act.

(33) A decision to which regulation 6(2)(c)(ii) applies shall take effect from the date on which [<sup>F63</sup>the decision of the appeal tribunal, the First-tier Tribunal, the Upper Tribunal or the Commissioner] would have taken effect had it been decided in accordance with the determination of the [<sup>F64</sup>Upper Tribunal][<sup>F65</sup>or the Commissioner] or the court in the appeal referred to in section 26(1)(b).]

[<sup>F66</sup>(34) A decision which supersedes a decision specified in regulation 6(2)(n) shall take effect from the effective date of the Secretary of State’s decision to terminate income support which was confirmed by the decision specified in regulation 6(2)(n).]

(35) [<sup>F67</sup>A decision made in accordance with regulation 6(2)(p), where the failure determination was made before the 13th week of entitlement, shall take effect from the first day of the benefit week following that week.]

[<sup>F68</sup>A decision made in accordance with regulation 6(2)(p) shall take effect —

- (a) on the first day of the benefit week in which the failure determination was made where, on the date of that determination, the claimant has not been paid an employment and support allowance since the failure to which that determination relates; or
- (b) in any other case, on the first day of the benefit week after the end of the benefit week in respect of which the claimant was last paid an employment and support allowance.]

(37) A decision made in accordance with regulation 6(2)(q) shall take effect from the first day of the benefit week in which the reduction mentioned in that sub-paragraph ceased to have effect.

[<sup>F69</sup>(38) A decision made in accordance with regulation 6(2)(r) that embodies a determination that the claimant has—

- (a) limited capability for work; or
- (b) limited capability for work-related activity; or
- (c) limited capability for work and limited capability for work-related activity

which is the first such determination shall take effect from [<sup>F70</sup>the day after the last day of the relevant period as defined in regulation 4(4) of the Employment and Support Allowance Regulations].]

(39) A decision made in accordance with regulation 6(2)(r), following an application by the claimant, that embodies a determination that the claimant has limited capability for work-related activity shall take effect from the date of the application.

[<sup>F71</sup>(40) A decision made in accordance with regulation 6(2)(r) that embodies a determination that the claimant has—

- (a) limited capability for work; or
- (b) limited capability for work-related activity; or
- (c) limited capability for work and limited capability for work-related activity

where regulation 5 of the Employment and Support Allowance Regulations (assessment phase – previous claimants) applies shall take effect from the beginning of the 14th week of the person’s continuous period of limited capability for work.]

[<sup>F72</sup>(41) A decision made in accordance with regulation 6(2)(t) shall take effect from the first day of the next benefit week following the day on which the determination mentioned in that sub-paragraph was made.

(42) A decision made in accordance with regulation 6(2)(u) shall take effect from the first day of the benefit week in which the reduction mentioned in that sub-paragraph ceased to have effect.]

[<sup>F73</sup>(43) Where the decision is superseded in accordance with regulation 6(2)(sa), the superseding decision shall take effect from the date on which the contributions are treated as paid in accordance with regulation 4(7) of the Social Security (Crediting and Treatment of Contributions, and National Insurance Numbers) Regulations 2001 for the purposes of entitlement to—

- (i) a bereavement benefit;
- (ii) a Category A or Category B retirement pension under Part II of the Contributions and Benefits Act; or
- (iii) a state pension under Part 1 of the Pensions Act 2014.]

### Textual Amendments

- F1** Reg. 7(1) substituted (29.11.1999) by [The Social Security Act 1998 \(Commencement No. 12 and Consequential and Transitional Provisions\) Order 1999 \(S.I. 1999/3178\)](#), art. 3(1)(a), **Sch. 19 para. 1** (with art. 3(1)(b), Schs. 21-23)
- F2** Reg. 7(1)(a) substituted (7.4.2003) by [State Pension Credit \(Consequential, Transitional and Miscellaneous Provisions\) Regulations 2002 \(S.I. 2002/3019\)](#), regs. 1(2)(a), **18(a)**
- F3** Words in reg. 7(1)(a) substituted (5.5.2003) by [The Social Security and Child Support \(Miscellaneous Amendments\) Regulations 2003 \(S.I. 2003/1050\)](#), regs. 1(1)(a), **3(5)(a)** (with reg. 6)
- F4** Word in reg. 7(1)(a) inserted (30.10.2008) by [Social Security \(Miscellaneous Amendments\) \(No.5\) Regulations 2008 \(S.I. 2008/2667\)](#), regs. 1, **3(4)(a)**
- F5** Words in reg. 7(1)(a) inserted (27.7.2008) by [Employment and Support Allowance \(Consequential Provisions\) \(No.2\) Regulations 2008 \(S.I. 2008/1554\)](#), regs. 1(2)(a), **33(2)(a)**
- F6** Words in reg. 7(1)(a) substituted (27.7.2008) by [Employment and Support Allowance \(Consequential Provisions\) \(No.2\) Regulations 2008 \(S.I. 2008/1554\)](#), regs. 1(2)(a), **33(2)(b)**
- F7** Words in reg. 7(2) substituted (5.5.2003) by [The Social Security and Child Support \(Miscellaneous Amendments\) Regulations 2003 \(S.I. 2003/1050\)](#), regs. 1(1)(a), **3(5)(b)** (with reg. 6)
- F8** Words in reg. 7(2) inserted (18.3.2005) by [The Social Security, Child Support and Tax Credits \(Miscellaneous Amendments\) Regulations 2005 \(S.I. 2005/337\)](#), regs. 1, **2(5)(a)**
- F9** Reg. 7(2)(a) substituted (29.11.1999) by [The Social Security Act 1998 \(Commencement No. 12 and Consequential and Transitional Provisions\) Order 1999 \(S.I. 1999/3178\)](#), art. 3(1)(a), **Sch. 19 para. 1(b)(i)** (with art. 3(1)(b), Schs. 21-23)
- F10** Words in reg. 7(2)(b)(i)(ii) substituted (7.4.2003) by [State Pension Credit \(Consequential, Transitional and Miscellaneous Provisions\) Regulations 2002 \(S.I. 2002/3019\)](#), regs. 1(2)(a), **18(b)**
- F11** Words in reg. 7(2)(b)(i) substituted (27.7.2008) by [Employment and Support Allowance \(Consequential Provisions\) \(No.2\) Regulations 2008 \(S.I. 2008/1554\)](#), regs. 1(2)(a), **33(3)(a)**
- F12** Reg. 7(2)(bb) substituted (30.10.2008) by [Social Security \(Miscellaneous Amendments\) \(No.5\) Regulations 2008 \(S.I. 2008/2667\)](#), regs. 1, **3(4)(b)**
- F13** Reg. 7(2)(bc) substituted (30.10.2008) by [Social Security \(Miscellaneous Amendments\) \(No.5\) Regulations 2008 \(S.I. 2008/2667\)](#), regs. 1, **3(4)(c)**
- F14** Reg. 7(2)(bd) omitted (19.5.2008) by virtue of [Social Security \(Miscellaneous Amendments\) \(No.2\) Regulations 2008 \(S.I. 2008/1042\)](#), regs. 1(2), **2(b)**
- F15** Reg. 7(2)(be) inserted (27.7.2008) by [Employment and Support Allowance \(Consequential Provisions\) \(No.2\) Regulations 2008 \(S.I. 2008/1554\)](#), regs. 1(2)(a), **33(3)(b)**
- F16** Reg. 7(2)(c)(i) omitted (29.11.1999) by virtue of [The Social Security Act 1998 \(Commencement No. 12 and Consequential and Transitional Provisions\) Order 1999 \(S.I. 1999/3178\)](#), art. 3(1)(a), **Sch. 19 para. 1(b)(ii)** (with art. 3(1)(b), Schs. 21-23)
- F17** Reg. 7(2)(c)(ii)(iii) substituted for reg. 7(2)(c)(ii) (5.7.1999) by [The Social Security and Child Support \(Decisions and Appeals\) Amendment \(No. 2\) Regulations 1999 \(S.I. 1999/1623\)](#), regs. 1(1), **4**

- F18** Words in reg. 7(2)(c)(ii) inserted (13.7.2009) by Social Security (Miscellaneous Amendments) (No.2) Regulations 2009 (S.I. 2009/1490), regs. 1, **3(3)**
- F19** Reg. 7(2)(c)(iii) omitted (10.4.2006) by virtue of Social Security (Miscellaneous Amendments) (No.2) Regulations 2006 (S.I. 2006/832), regs. 1(2), **5(3)(a)(i)**
- F20** Reg. 7(2)(c)(iv) Reg. 7(2)(c)(v) added (10.4.2006) by Social Security (Miscellaneous Amendments) (No.2) Regulations 2006 (S.I. 2006/832), regs. 1(2), **5(3)(a)(ii)**
- F21** Reg. 7(2A) inserted (19.5.2008) by Social Security (Miscellaneous Amendments) (No.2) Regulations 2008 (S.I. 2008/1042), regs. 1(2), **2(c)**
- F22** Reg. 7(2A) omitted (30.10.2008) by virtue of Social Security (Miscellaneous Amendments) (No.5) Regulations 2008 (S.I. 2008/2667), regs. 1, **3(4)(d)**
- F23** Reg. 7(3) substituted (27.7.2008) by Employment and Support Allowance (Consequential Provisions) (No.2) Regulations 2008 (S.I. 2008/1554), regs. 1(2)(a), **33(4)**
- F24** Reg. 7(5) substituted (19.6.2000) by The Social Security and Child Support (Miscellaneous Amendments) Regulations 2000 (S.I. 2000/1596), regs. 1(1), **17(c)**
- F25** Words in reg. 7(5) 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(5)(a)**
- F26** Word in reg. 7(5) inserted (5.5.2003) by The Social Security and Child Support (Miscellaneous Amendments) Regulations 2003 (S.I. 2003/1050), regs. 1(1)(a), **3(5)(c)** (with reg. 6)
- F27** Reg. 7(6A) inserted (18.3.2005) by The Social Security, Child Support and Tax Credits (Miscellaneous Amendments) Regulations 2005 (S.I. 2005/337), regs. 1, **2(5)(b)**
- F28** Reg. 7(7) substituted (10.4.2006) by Social Security (Miscellaneous Amendments) (No.2) Regulations 2006 (S.I. 2006/832), regs. 1(2), **5(3)(b)**
- F29** Words in reg. 7(7)(a) inserted (26.7.2021) by The Social Security (Scotland) Act 2018 (Disability Assistance for Children and Young People) (Consequential Modifications) Order 2021 (S.I. 2021/786), arts. 1(2), **6(5)**
- F30** Words in reg. 7(7)(a) substituted (21.3.2022) by The Social Security (Disability Assistance for Working Age People) (Consequential Amendments) Order 2022 (S.I. 2022/177), arts. 1(2), **6(5)**
- F31** Words in reg. 7(7)(b)(i) added (27.7.2008) by Employment and Support Allowance (Consequential Provisions) (No.2) Regulations 2008 (S.I. 2008/1554), regs. 1(2)(a), **33(5)(a)**
- F32** Words in reg. 7(7)(b)(ii)(aa) inserted (1.4.2012) by The Social Security (Miscellaneous Amendments) Regulations 2012 (S.I. 2012/757), regs. 1(4), **17**
- F33** Words in reg. 7(7)(aa)(b)(ii) added (27.7.2008) by Employment and Support Allowance (Consequential Provisions) (No.2) Regulations 2008 (S.I. 2008/1554), regs. 1(2)(a), **33(5)(b)**
- F34** Reg. 7(7A) inserted (6.4.2006) by Social Security (Deferral of Retirement Pensions, Shared Additional Pension and Graduated Retirement Benefit) (Miscellaneous Provisions) Regulations 2005 (S.I. 2005/2677), regs. 1(1), **9(5)**
- F35** Words in reg. 7(7A) inserted (6.4.2016 coming into force in accordance with art. 1(2)(b)) by The Pensions Act 2014 (Consequential, Supplementary and Incidental Amendments) Order 2015 (S.I. 2015/1985), arts. 1(2)(b), **18(6)**
- F36** Reg. 7(8) substituted (22.10.2012) by The Jobseekers Allowance (Sanctions) (Amendment) Regulations 2012 (S.I. 2012/2568), regs. 1(1), **6(4)(a)**
- F37** Reg. 7(8ZA) substituted (22.10.2012) by The Jobseekers Allowance (Sanctions) (Amendment) Regulations 2012 (S.I. 2012/2568), regs. 1(1), **6(4)(b)**
- F38** Reg. 7(8ZB) omitted (22.10.2012) by virtue of The Jobseekers Allowance (Sanctions) (Amendment) Regulations 2012 (S.I. 2012/2568), regs. 1(1), **6(4)(c)**
- F39** Reg. 7(8A) inserted (30.10.2008) by Social Security (Miscellaneous Amendments) (No.5) Regulations 2008 (S.I. 2008/2667), regs. 1, **3(4)(e)**
- F40** Reg. 7(9) substituted (17.2.2000) by The Social Security and Child Support (Decisions and Appeals) Amendment Regulations 2000 (S.I. 2000/119), regs. 1(1), **2**
- F41** Words in reg. 7(9) inserted (31.10.2011) by The Social Security (Disability Living Allowance, Attendance Allowance and Carers Allowance) (Miscellaneous Amendments) Regulations 2011 (S.I. 2011/2426), regs. 1, **2(a)**

*Status: Point in time view as at 21/03/2022. This version of this provision has been superseded.*  
**Changes to legislation:** There are currently no known outstanding effects for the The Social Security and Child Support (Decisions and Appeals) Regulations 1999, Section 7. (See end of Document for details)

- F42** Reg. 7(9)(a) substituted (5.5.2003) by The Social Security and Child Support (Miscellaneous Amendments) Regulations 2003 (S.I. 2003/1050), regs. 1(1)(a), **3(5)(d)** (with reg. 6)
- F43** Words in reg. 7(9)(b) substituted (30.10.2008) by Social Security (Miscellaneous Amendments) (No.5) Regulations 2008 (S.I. 2008/2667), regs. 1, **3(4)(f)**
- F44** Words in reg. 7(9)(c) substituted (30.10.2008) by Social Security (Miscellaneous Amendments) (No.5) Regulations 2008 (S.I. 2008/2667), regs. 1, **3(4)(f)**
- F45** Reg. 7(9A) inserted (31.10.2011) by The Social Security (Disability Living Allowance, Attendance Allowance and Carers Allowance) (Miscellaneous Amendments) Regulations 2011 (S.I. 2011/2426), regs. 1, **2(b)**
- F46** Reg. 7(12A)-(12G) inserted by S.I. 2017/725, Sch. 5 para. 11(3)(a) (as inserted) (6.4.2018) by The Loans for Mortgage Interest and Social Fund Maternity Grant (Amendment) Regulations 2018 (S.I. 2018/307), regs. 1(2), **2(18)(e)**
- F47** Reg. 7(13)-(17G) omitted by S.I. 2017/725, Sch. 5 para. 11(3)(b) (as inserted) (6.4.2018) by virtue of The Loans for Mortgage Interest and Social Fund Maternity Grant (Amendment) Regulations 2018 (S.I. 2018/307), regs. 1(2), **2(18)(e)**
- F48** Reg. 7(17H) inserted (27.7.2008) by Employment and Support Allowance (Consequential Provisions) (No.2) Regulations 2008 (S.I. 2008/1554), regs. 1(2)(a), **33(7)**
- F49** Reg. 7(18)-(23) omitted by S.I. 2017/725, Sch. 5 para. 11(3)(b) (as inserted) (6.4.2018) by virtue of The Loans for Mortgage Interest and Social Fund Maternity Grant (Amendment) Regulations 2018 (S.I. 2018/307), regs. 1(2), **2(18)(e)**
- F50** Reg. 7(25)(26) added (3.4.2000) by The Social Security (Work-focused Interviews) Regulations 2000 (S.I. 2000/897), reg. 1, **Sch. 6 para. 5** (with reg. 2(5))
- F51** Reg. 7(25) substituted (12.4.2004) by The Social Security (Jobcentre Plus Interviews for Partners) Regulations 2003 (S.I. 2003/1886), regs. 1, **15(5)**
- F52** Words in reg. 7(25)(b) substituted (26.4.2004) by Social Security (Working Neighbourhoods) Regulations 2004 (S.I. 2004/959), regs. 1, **24(4)(a)**
- F53** Words in reg. 7(25)(b)(i) substituted (26.4.2004) by Social Security (Working Neighbourhoods) Regulations 2004 (S.I. 2004/959), regs. 1, **24(4)(b)**
- F54** Reg. 7(27) omitted (for specified purposes and with effect in accordance with reg. 1(3) of the amending S.I.) by virtue of Welfare Reform Act 2009 (Section 26) (Consequential Amendments) Regulations 2010 (S.I. 2010/424), **reg. 4(5)**
- F55** Reg. 7(28) added (1.4.2002) by Social Security (Loss of Benefit) (Consequential Amendments) Regulations 2002 (S.I. 2002/490), regs. 1(1), **8(c)**
- F56** Words in reg. 7(28) inserted (1.4.2010) by The Social Security (Loss of Benefit) Amendment Regulations 2010 (S.I. 2010/1160), regs. 1, **3(4)**
- F57** Reg. 7(29) inserted (7.4.2003) by State Pension Credit (Consequential, Transitional and Miscellaneous Provisions) Regulations 2002 (S.I. 2002/3019), regs. 1(2)(a), **18(f)**
- F58** Words in reg. 7(29) substituted (6.10.2003) by State Pension Credit (Transitional and Miscellaneous Provisions) Amendment Regulations 2003 (S.I. 2003/2274), regs. 1, **5(3)(a)**
- F59** Reg. 7(29A)-(29C) added (6.10.2003) by State Pension Credit (Transitional and Miscellaneous Provisions) Amendment Regulations 2003 (S.I. 2003/2274), regs. 1, **5(3)(b)**
- F60** Reg. 7(30)-(33) added (5.5.2003) by The Social Security and Child Support (Miscellaneous Amendments) Regulations 2003 (S.I. 2003/1050), regs. 1(1)(a), **3(5)(e)** (with reg. 6)
- F61** Reg. 7(30A) inserted (6.4.2010) by Social Security (Miscellaneous Amendments) Regulations 2010 (S.I. 2010/510), regs. 1(2), **4(2)**
- F62** Words in reg. 7(31) omitted (30.10.2008) by virtue of Social Security (Miscellaneous Amendments) (No.5) Regulations 2008 (S.I. 2008/2667), regs. 1, **3(4)(g)**
- F63** Words in reg. 7(33) 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(5)(b)(i)**
- F64** Words in reg. 7(33) 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. 104(b)(ii)**

- F65** Words in reg. 7(33) inserted (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(5)(b)(ii)**
- F66** Reg. 7(34) added (18.3.2005) by The Social Security, Child Support and Tax Credits (Miscellaneous Amendments) Regulations 2005 (S.I. 2005/337), regs. 1, **2(5)(d)**
- F67** Reg. 7(35) omitted (3.12.2012) by virtue of The Employment and Support Allowance (Sanctions) (Amendment) Regulations 2012 (S.I. 2012/2756), regs. 1(1), **8(2)** (with reg. 1(2))
- F68** Reg. 7(36) substituted (3.12.2012) by The Employment and Support Allowance (Sanctions) (Amendment) Regulations 2012 (S.I. 2012/2756), regs. 1(1), **8(3)** (with reg. 1(2))
- F69** Reg. 7(38) substituted (28.6.2010) by Social Security (Miscellaneous Amendments) (No.3) Regulations 2010 (S.I. 2010/840), regs. 1, **7(4)(a)**
- F70** Words in reg. 7(38) substituted (30.3.2015) by The Jobseeker s Allowance (Extended Period of Sickness) Amendment Regulations 2015 (S.I. 2015/339), regs. 1, **7(3)**
- F71** Reg. 7(40) added (28.6.2010) by Social Security (Miscellaneous Amendments) (No.3) Regulations 2010 (S.I. 2010/840), regs. 1, **7(4)(b)**
- F72** Reg. 7(41)(42) added (28.4.2014) by The Income Support (Work-Related Activity) and Miscellaneous Amendments Regulations 2014 (S.I. 2014/1097), regs. 1(1), **12(5)**
- F73** Reg. 7(43) inserted (1.1.2017) (E+W+S) by The Social Security (Credits, and Crediting and Treatment of Contributions) (Consequential and Miscellaneous Amendments) Regulations 2016 (S.I. 2016/1145), regs. 1, **4(5)**

#### **Marginal Citations**

- M1** S.I. 1995/311; relevant amending instruments are S.I. 1995/987, **S.I.** 1996/3207 and S.I. 1997/1009.

**Status:**

Point in time view as at 21/03/2022. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the The Social Security and Child Support (Decisions and Appeals) Regulations 1999, Section 7.