

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made by virtue of, or in consequence of, provisions in the Child Support, Pensions and Social Security Act 2000 (c. 19) (“the Act”). The Regulations supplement changes introduced by the Act to the decision-making process for housing benefit and council tax benefit and to the new appeals system.

The Regulations are made before the end of the period of six months beginning with the coming into force of the relevant provisions in the Act and are therefore exempt from the requirement in section 172(1) of the Social Security Administration Act 1992 (c. 5) to refer proposals to make these Regulations to the Social Security Advisory Committee and are made without reference to that Committee. The Regulations are made after consultation with organisations appearing to the Secretary of State to be representative of the authorities concerned in accordance with section 176(1) of the Social Security Administration Act, and after consultation with the Council on Tribunals in accordance with section 8 of the Tribunal and Inquiries Act 1992 (c. 53).

Part I contains provisions relating to citation, commencement, interpretation and service of documents. It also includes a provision as to treating a person as a person affected by a decision.

Part II makes provision as to the circumstances in which a relevant authority may revise or supersede decisions, when such decisions take effect and related procedural matters.

Part III makes provision for the suspension and termination of housing benefit and council tax benefit and decisions involving issues that arise in appeals in other cases.

Part IV and the Schedule make provision in respect of rights of appeal and procedure for bringing appeals.

Part V makes provision in respect of appeal tribunal composition and procedure.

These Regulations do not impose a charge on business.

Changes to legislation:

There are currently no known outstanding effects for the The Housing Benefit and Council Tax Benefit (Decisions and Appeals) Regulations 2001.