
STATUTORY INSTRUMENTS

2004 No. 3368

**The Social Security, Child Support and Tax Credits
(Decisions and Appeals) Amendment Regulations 2004**

**Amendment of the Housing Benefit and Council Tax Benefit (Decisions and Appeals)
Regulations 2001**

3.—(1) The Housing Benefit and Council Tax Benefit (Decisions and Appeals) Regulations 2001⁽¹⁾ shall be amended in accordance with this regulation.

(2) In regulation 22 (composition of appeal tribunals) omit paragraph (3) (misconceived appeals).

(3) In regulation 23⁽²⁾ (procedure in connection with appeals)—

(a) in paragraph (1) for “the Social Security and Child Support (Decisions and Appeals) (Miscellaneous Amendments) Regulations 2002” substitute “the Social Security, Child Support and Tax Credits (Decisions and Appeals) Amendment Regulations 2004⁽³⁾”, and

(b) in paragraph (3) after “except in regulations” insert “39(1)⁽⁴⁾ (choice of hearing).”.

(4) In the Schedule (decisions against which no appeal lies)—

(a) in paragraph 1 (no right of appeal: exceptions) for sub-paragraph (a) substitute—

“(a) regulations 72⁽⁵⁾ (time and manner in which claims are to be made), 72A(1)⁽⁶⁾ and 72B(1) and (4)⁽⁷⁾ (date of claim).”, and

(b) in paragraph 2 (no right of appeal: exceptions) for sub-paragraph (a) substitute—

“(a) regulations 62⁽⁸⁾ (time and manner in which claims are to be made), 62A(1)⁽⁹⁾ and 62B(1) and (4)⁽¹⁰⁾ (date of claim).”.

⁽¹⁾ [S.I. 2001/1002](#).

⁽²⁾ Regulation 23 was amended by [S.I. 2002/1379](#).

⁽³⁾ [S.I. 2004/ 3368](#).

⁽⁴⁾ Regulation 39 was amended by [S.I. 2004/3368](#).

⁽⁵⁾ Relevant amendments to regulation 72 were made by [S.I. 1996/2432](#), [2000/897](#), and [2001/1605](#).

⁽⁶⁾ Regulation 72A was inserted by [S.I. 1999/1539](#) and amended by [S.I. 2002/1397](#).

⁽⁷⁾ Regulation 72B was substituted by [S.I. 2000/897](#).

⁽⁸⁾ Relevant amendments to regulation 62 were made by [S.I. 1996/462](#), [1510](#) and [2432](#), [2000/897](#), [2001/1605](#) and [2003 /48](#), [325](#) and [1632](#).

⁽⁹⁾ Regulation 62A was inserted by [S.I. 1999/1539](#) and amended by [2000/897](#).

⁽¹⁰⁾ Regulation 62B was substituted by [S.I. 2000/897](#).