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STATUTORY INSTRUMENTS

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**2005 No. 1031**

**The Social Security Commissioners (Procedure)  
(Child Trust Funds) Regulations 2005**

**PART 1**

**GENERAL PROVISIONS**

**Interpretation**

**2.** In these Regulations—

“the 1998 Act” means the Social Security Act 1998, as applied and modified by the Child Trust Funds (Non-tax Appeals) Regulations 2005;

“the 2004 Act” means the Child Trust Funds Act 2004;

“appeal” means an appeal which by virtue of section 24 of the 2004 Act is from an appeal tribunal to a Social Security Commissioner;

“appeal tribunal” means an appeal tribunal constituted under Chapter 1 of Part 1 of the Social Security Act 1998;

“authorised officer” means an officer authorised by the Lord Chancellor, or in Scotland by the Secretary of State, in accordance with paragraph 6 of Schedule 4 to the 1998 Act;

“chairman” means—

- (i) the person who was the chairman or the sole member of the appeal tribunal which gave the decision against which leave to appeal is being sought; or
- (ii) any other person authorised to deal with applications for leave to appeal to a Commissioner against that decision under section 14(10)(a) of the 1998 Act;

“funding notice” means the notice or letter from the Legal Services Commission confirming that legal services are to be funded;

“legal aid certificate” means the certificate issued by the Scottish Legal Aid Board confirming that legal services are to be funded;

“legally qualified” means being a solicitor or barrister, or in Scotland, a solicitor or advocate;

“Legal Services Commission” means the Legal Services Commission established under section 1 of the Access to Justice Act 1999(1);

“live television link” means a television link or other audio and video facilities which allow a person who is not physically present at an oral hearing to see and hear proceedings and be seen and heard by all others who are present (whether physically present or otherwise);

“office” means an Office of the Social Security Commissioners;

“party” means a party to the proceedings;

“penalty appeal” means an appeal against a decision under section 21 of the 2004 Act which by virtue of section 24(2) of that Act lies to a Commissioner;

“proceedings” means any proceedings before a Commissioner, whether by way of an application for leave to appeal to, or from, a Commissioner, or by way of an appeal, or otherwise;

“respondent” means—

- (i) any party to the appeal other than the applicant or appellant;
- (ii) any other person taking part in the proceedings at the direction or with the leave of a Commissioner;

“Scottish Legal Aid Board” means the Scottish Legal Aid Board established under section 1 of the Legal Aid (Scotland) Act 1986(2);

“summons”, in relation to Scotland, corresponds to “citation” and regulation 22 shall be construed accordingly.