

SCHEDULE 1

Rule 23

Time limits for providing notices of appeal to the decision maker

<i>Type of proceedings</i>	<i>Time for providing notice of appeal</i>
<p>[^{F1}cases other than those listed below</p>	<p>The latest of—</p> <p>(a) one month after the date on which notice of the decision being challenged was sent to the appellant;</p> <p>(b) if a written statement of reasons for the decision was requested within that month, 14 days after the later of—</p> <p>(i) the end of that month; or</p> <p>(ii) the date on which the written statement of reasons was provided; or</p> <p>(c) if the appellant made an application for revision of the decision under—</p> <p>(i) regulation 17(1)(a) of the Child Support (Maintenance Assessment Procedure) Regulations 1992,</p> <p>(ii) regulation 3(1) or (3) or 3A(1) of the Social Security and Child Support (Decision and Appeals) Regulations 1999, or</p> <p>(iii) regulation 4 of the Housing Benefit and Council Tax Benefit (Decisions and Appeals) Regulations 2001,</p> <p>and that application was unsuccessful, one month after the date on which notice that the decision would not be revised was sent to the appellant.]</p>
<p>appeal against a certificate of NHS charges under section 157(1) of the Health and Social Care (Community Health and Standards) Act 2003 ^{M1}</p>	<p>(a) 3 months after the latest of—</p> <p>(i) the date on the certificate;</p> <p>(ii) the date on which the compensation payment was made;</p> <p>(iii) if the certificate has been reviewed, the date the certificate was confirmed or a fresh certificate was issued; or</p> <p>(iv) the date of any agreement to treat an earlier compensation payment as having been made in final discharge of a claim made by or in respect of an injured person and arising out of the injury or death; or</p> <p>(b) if the person to whom the certificate has been issued makes an application under section 157(4) of the Health and Social Care (Community Health and Standards) Act 2003, one month after—</p> <p>(i) the date of the decision on that application; or</p> <p>(ii) if the person appeals against that decision under section 157(6) of that Act, the date on which the appeal is decided or withdrawn</p>
<p>appeal against a waiver decision under section 157(6) of the Health and Social Care (Community Health and Standards) Act 2003</p>	<p>one month after the date of the decision</p>
<p>appeal against a certificate of NHS charges under section 7 of the Road Traffic (NHS Charges) Act 1999 ^{M2}</p>	<p>3 months after the latest of—</p> <p>(a) the date on which the liability under section 1(2) of the Road Traffic (NHS Charges) Act 1999 was discharged;</p> <p>(b) if the certificate has been reviewed, the date the certificate was confirmed or a fresh certificate was issued; or</p> <p>(c) the date of any agreement to treat an earlier compensation payment as having been made in final discharge of a claim made by or in respect of a traffic casualty and arising out of the injury or death</p>

Status: Point in time view as at 06/04/2012.

Changes to legislation: There are currently no known outstanding effects for the *The Tribunal Procedure (First-tier Tribunal) (Social Entitlement Chamber) Rules 2008*. (See end of Document for details)

appeal against a one month after the latest of—
 certificate of (a) the date on which any payment to the Secretary of State required under
 recoverable benefits section 6 of the Social Security (Recovery of Benefits) Act 1997 was
 under section 11 of made;
 the Social Security (b) if the certificate has been reviewed, the date the certificate was
 (Recovery of Benefits) confirmed or a fresh certificate was issued; or
 Act 1997 ^{M3} (c) the date of any agreement to treat an earlier compensation payment as
 having been made in final discharge of a claim made by or in respect of
 an injured person and arising out of the accident, injury or disease

appeal under the no time limit
 Vaccine Damage
 Payments Act 1979 ^{M4}

appeal under the Tax as set out in the Tax Credits Act 2002
 Credits Act 2002 ^{M5}

appeal under the Child as set out in the Child Trust Funds Act 2004
 Trust Funds Act 2004
^{M6}

appeal against a as set out in regulation 28 of the Child Benefit and Guardian's Allowance
 decision in respect of a (Decisions and Appeals) Regulations 2003 ^{M8}
 claim for child benefit
 or guardian's allowance
 under section 12 of
 the Social Security Act
 1998 ^{M7}

Textual Amendments

F1 Sch. 1 entry substituted (29.11.2010) by [The Tribunal Procedure \(Amendment No. 3\) Rules 2010 \(S.I. 2010/2653\)](#), rules 1, **5(4)**

Marginal Citations

M1 2003 c.43.

M2 1999 c.3.

M3 1997 c.27.

M4 1979 c.17.

M5 2002 c.21.

M6 2004 c.6.

M7 1998 c.14.

M8 S.I. 2003/916.

SCHEDULE 2

Rule 25(3)

Issues in relation to which the Tribunal may refer a person for medical
 examination under section 20(2) of the Social Security Act 1998

An issue falls within this Schedule if the issue—

- (a) is whether the claimant satisfies the conditions for entitlement to—
 - (i) an attendance allowance specified in section 64 and 65(1) of the Social Security Contributions and Benefits Act 1992 ^{M9};
 - (ii) severe disablement allowance under section 68 of that Act;
 - (iii) the care component of a disability living allowance specified in section 72(1) and (2) of that Act;
 - (iv) the mobility component of a disability living allowance specified in section 73(1), (8) and (9) of that Act; or
 - (v) a disabled person's tax credit specified in section 129(1)(b) of that Act.
- (b) relates to the period throughout which the claimant is likely to satisfy the conditions for entitlement to an attendance allowance or a disability living allowance;
- (c) is the rate at which an attendance allowance is payable;
- (d) is the rate at which the care component or the mobility component of a disability living allowance is payable;
- (e) is whether a person is incapable of work for the purposes of the Social Security Contributions and Benefits Act 1992;
- (f) relates to the extent of a person's disablement and its assessment in accordance with Schedule 6 to the Social Security Contributions and Benefits Act 1992;
- (g) is whether the claimant suffers a loss of physical or mental faculty as a result of the relevant accident for the purposes of section 103 of the Social Security Contributions and Benefits Act 1992;
- (h) relates to any payment arising under, or by virtue of a scheme having effect under, section 111 of, and Schedule 8 to, the Social Security Contributions and Benefits Act 1992 (workmen's compensation);
- (i) is whether a person has limited capability for work or work-related activity for the purposes of the Welfare Reform Act 2007 ^{M10}.

Marginal Citations

M9 1992 c.4.

M10 2007 c.5.

Marginal Citations

M9 1992 c.4.

M10 2007 c.5.

Status:

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