
STATUTORY INSTRUMENTS

2013 No. 381

The Universal Credit, Personal Independence Payment,
Jobseeker's Allowance and Employment and Support
Allowance (Decisions and Appeals) Regulations 2013

PART 2

REVISION

CHAPTER 2

REVISION ON SPECIFIC GROUNDS

Other decisions relating to personal independence payment

18.—(1) Where the Secretary of State makes a decision awarding personal independence payment which takes effect immediately after the expiry of an existing award under regulation 33(3) (advance claim for and award of personal independence payment) of the Claims and Payments Regulations 2013, that decision may be revised if the requirements for entitlement are found not to have been met on the date on which the decision takes effect.

(2) A decision that personal independence payment is not payable to a person for any period may be revised where—

- (a) the Secretary of State determines that the person meets the condition in section 85(2) of the 2012 Act (care home residents where the costs of qualifying services are borne out of local or public funds) on incomplete evidence in accordance with regulation 39(5); and
- (b) after that determination is made, any of the costs of the qualifying services are recovered from the person for whom they are provided.

(3) A decision of the Secretary of State made in consequence of a negative determination^{M1} may be revised at any time if it contains an error to which the claimant did not materially contribute.

Marginal Citations

M1 See section 80(6) of the 2012 Act for the meaning of “negative determination”.

Changes to legislation:

There are currently no known outstanding effects for the The Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Decisions and Appeals) Regulations 2013, Section 18.