Child Maintenance and Other Payments Act 2008

2008 CHAPTER 6

PART 4

LUMP SUM PAYMENTS: MESOTHELIOMA ETC.

Mesothelioma lump sum payments

50 Appeal to appeal tribunal

(1) A person who has made a claim under section 46 may appeal against a determination made by the Secretary of State—

(a) on the claim, or

(b) on reconsideration under section 49 of a determination made on the claim.

(2) Subject to regulations under subsection (4)(c), the Secretary of State must refer any appeal to an appeal tribunal constituted under Chapter 1 of Part 1 of the Social Security Act 1998 (c. 14).

(3) On an appeal the tribunal may substitute for the determination concerned any determination which could have been made in accordance with this Part.

(4) Regulations may make provision—

(a) as to the manner in which, and the time within which, an appeal may be made;

(b) as to the procedure to be followed if an appeal is made;

(c) for the purpose of enabling an appeal under subsection (1)(a) to be treated as an application for reconsideration under section 49 of the determination made on the claim.