
EXPLANATORY NOTE

(This note is not part of the Regulations)

Regulation 2 amends the Social Security and Child Support (Decisions and Appeals) Regulations 1999.

- Paragraph (2) adds further circumstances in which a social security benefit decision may be revised, and paragraph (3) clarifies the time for applying for revision.
- Paragraph (4) adds further circumstances in which a benefit decision may be superseded, and paragraphs (5) and (21) specify the date from which such decisions and other decisions take effect.
- Paragraphs (6) to (8) make further provision for making appeals: paragraph (7) adds a situation in which an appeal lapses, and paragraph (8) provides for the time within which an appeal may be brought when a child support maintenance assessment is revised.
- Paragraph (9) removes the need for the appellant's consent to the use of a live television link at an appeal hearing.
- Paragraphs (10) to (17) make further, more detailed, provision in relation to decisions of appeal tribunals: paragraph (10) clarifies the time for applying for a statement of the tribunal's reasons for its decision, paragraph (12) specifies more documents which the tribunal must preserve, paragraph (14) provides for a tribunal to treat a refusal to set aside a decision as an application for a statement of reasons for the decision and paragraph (16) provides for decision notices to be sent by electronic mail.
- Paragraph (18) clarifies the procedure and time for applying for leave to appeal to a Commissioner and paragraph (19) prescribes a further person who may appeal to a Commissioner.
- Paragraph (20) clarifies the medical qualifications required for a person to be appointed to panel so that he may act as a member of an appeal tribunal.

Regulation 3 amends the Housing Benefit and Council Tax Benefit (Decisions and Appeals) Regulations 2001 in respect of revision of decisions and appeal procedures to mirror amendments made to the Social Security and Child Support (Decisions and Appeals) Regulations 1999.

Regulation 4 amends the Tax Credits (Appeals) (No. 2) Regulations 2002 making provision similar to that made by regulations 2(9) to (16) and (18) and 7(7)(a).

Regulation 5 amends the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations 1985 to provide for the finality of a specified determination necessary to a benefit decision.

Regulation 6 makes an amendment to the Income Support (General) Regulations 1987 consequential to the amendment made by regulation 2(2)(b).

Regulation 7 amends the Social Security (Claims and Payments) Regulations 1987.

- Paragraphs (2) and (3) make further provision in respect of specified benefit claims made to a designated office or an authorised local authority.
- Paragraph (4) makes further provision in respect of the date of claim in relation to different benefits.
- Paragraph (5) provides for a further claim for an attendance allowance before an existing claim expires.

Status: This is the original version (as it was originally made).

- Paragraphs (6) and (7) make further provision in respect of those appointed to act for a benefit claimant.
- Paragraph (8) makes further provision in respect of extinguishment of the right to payment of benefit.
- Paragraphs (9) and (10) amend provisions governing payment of disability living allowance in respect of child beneficiaries and beneficiaries who have hired a vehicle.
- Paragraph (11) makes a minor amendment in respect of the payment of income support.

Regulations 8 and 9 amend the Housing Benefit (General) Regulations 1987 and the Council Tax Benefit (General) Regulations 1992 respectively, making provision similar to that made by regulation 7(7).

Regulation 10 amends the Social Security (Payments on account, Overpayments and Recovery) Regulations 1988.

- Paragraph (3) provides for an interim payment where it is impractical to satisfy national insurance number requirements.
- Paragraph (4) provides for the recovery of duplicate payments of benefit from payments of contribution-based jobseeker's allowance.
- Paragraph (5) makes further provision for the recovery of a benefit overpayment without prior revision or supersession of the original decision awarding benefit.
- Paragraph (6) clarifies a limitation on the right to deduct a recoverable overpayment from prescribed benefits.

Regulation 11 amends the Social Security (Overlapping Benefits) Regulations 1979 to update a definition.

A regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business.