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DRAFT STATUTORY INSTRUMENTS

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**2012 No.**

The Child Support Maintenance Calculation Regulations 2012

PART 3

DECISION MAKING

CHAPTER 6

MISCELLANEOUS MATTERS RELATING TO APPEALS

**Supersession of tribunal decision made in error due to misrepresentation etc.**

**31.—(1)** Where—

- (a) a decision made by the First-tier Tribunal or the Upper Tribunal is superseded on the ground that it was erroneous due to misrepresentation of, or that there was a failure to disclose, a material fact; and
- (b) the Secretary of State is satisfied that the decision was more advantageous to the person who misrepresented or failed to disclose that fact than it would otherwise have been but for that error,

the superseding decision takes effect from the date on which the decision of the First-tier Tribunal or, as the case may be, the Upper Tribunal, took or was to take, effect.