



Child Support, Pensions and Social Security Act 2000

2000 CHAPTER 19

PART I

CHILD SUPPORT

Revision and supersession of decisions

8 Revision of decisions

- (1) Section 16 of the 1991 Act (revision of decisions) shall be amended as follows.
- (2) In subsection (1), for “of the Secretary of State under section 11, 12 or 17” there shall be substituted “to which subsection (1A) applies”.
- (3) After subsection (1), there shall be inserted—
 - “(1A) This subsection applies to—
 - (a) a decision of the Secretary of State under section 11, 12 or 17;
 - (b) a reduced benefit decision under section 46;
 - (c) a decision of an appeal tribunal on a referral under section 28D(1)(b).
 - (1B) Where the Secretary of State revises a decision under section 12(1)—
 - (a) he may (if appropriate) do so as if he were revising a decision under section 11; and
 - (b) if he does that, his decision as revised is to be treated as one under section 11 instead of section 12(1) (and, in particular, is to be so treated for the purposes of an appeal against it under section 20).”

9 Decisions superseding earlier decisions

(1) Section 17 of the 1991 Act (decisions superseding earlier decisions) shall be amended as follows.

(2) In subsection (1), for paragraph (c) there shall be substituted—

- “(c) any reduced benefit decision under section 46;
- (d) any decision of an appeal tribunal on a referral under section 28D(1)(b);
- (e) any decision of a Child Support Commissioner on an appeal from such a decision as is mentioned in paragraph (b) or (d).”

(3) For subsection (4) there shall be substituted—

“(4) Subject to subsection (5) and section 28ZC, a decision under this section shall take effect as from the beginning of the maintenance period in which it is made or, where applicable, the beginning of the maintenance period in which the application was made.

(4A) In subsection (4), a “maintenance period” is (except where a different meaning is prescribed for prescribed cases) a period of seven days, the first one beginning on the effective date of the first decision made by the Secretary of State under section 11 or (if earlier) his first default or interim maintenance decision (under section 12) in relation to the non-resident parent in question, and each subsequent one beginning on the day after the last day of the previous one.”