

CHILD MAINTENANCE AND OTHER PAYMENTS ACT 2008

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 4 – Lump Sum Payments: Mesothelioma etc.

Mesothelioma lump sum payments

Section 50: Appeal to appeal tribunal

418. This section provides that a person who has made a claim for a payment under [section 46](#), will have a right of appeal to an appeal tribunal against a decision made by the Secretary of State on the claim, or a decision made following a reconsideration under [section 49](#).
419. *Subsection (2)* provides that, 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.
420. *Subsection (3)* provides the tribunal with the power to substitute a decision on matters decided in accordance with Part 4.
421. *Subsection (4)* provides that regulations may make provision:
- as to the manner in which, and the time within which, an appeal may be brought;
 - as to the procedure to be followed if an appeal is made; and
 - for the purposes of enabling an appeal to be treated as an application for a reconsideration under [section 49](#).