

Status: Point in time view as at 18/07/2019. This version of this cross heading contains provisions that are prospective.

Changes to legislation: Welfare Reform Act 2012, Cross Heading: Child Support, Pensions and Social Security Act 2000 (c. 19) is up to date with all changes known to be in force on or before 05 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 11

POWER TO REQUIRE CONSIDERATION OF REVISION BEFORE APPEAL

PROSPECTIVE

Child Support, Pensions and Social Security Act 2000 (c. 19)

- 12 Schedule 7 to the Child Support, Pensions and Social Security Act 2000 is amended as follows.
- 13 (1) Paragraph 6 (housing benefit and council tax benefit: appeal to First-tier Tribunal) is amended as follows.
- (2) In sub-paragraph (4), after paragraph (b) there is inserted—
- “or where regulations under sub-paragraph (5A) so provide.”
- (3) After sub-paragraph (5) there is inserted—
- “(5A) Regulations may provide that, in such cases or circumstances as may be prescribed, there is a right of appeal in relation to a decision only if the relevant authority which made the decision has considered whether to revise the decision under paragraph 3.
- (5B) The regulations may in particular provide that that condition is met only where—
- (a) the consideration by the relevant authority was on an application,
- (b) the relevant authority considered issues of a specified description, or
- (c) the consideration by the relevant authority satisfied any other condition specified in the regulations.”
- (4) In sub-paragraph (8)—
- (a) the words from “make provision” to the end become paragraph (a);
- (b) after that paragraph there is inserted—
- “(b) provide that, where in accordance with regulations under sub-paragraph (5A) there is no right of appeal against a decision, any purported appeal may be treated as an application for revision under paragraph 3.”
- 14 In paragraph 20(4) (regulations subject to affirmative procedure) for “or (4)” there is substituted “, (4) or (5A) ”.

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