

SCHEDULES

SCHEDULE 11

POWER TO REQUIRE CONSIDERATION OF REVISION BEFORE APPEAL

Social Security (Recovery of Benefits) Act 1997 (c. 27)

- 10 (1) Section 11 (appeals against certificates) is amended as follows.
- (2) After subsection (2) there is inserted—
- “(2A) Regulations may provide that, in such cases or circumstances as may be prescribed, an appeal may be made under this section only if the Secretary of State has reviewed the certificate under section 10.
- (2B) The regulations may in particular provide that that condition is met only where—
- (a) the review by the Secretary of State was on an application,
- (b) the Secretary of State considered issues of a specified description, or
- (c) the review by the Secretary of State satisfied any other condition specified in the regulations.”
- (3) In subsection (5)(c) after “any such appeal“ there is inserted “(or, where in accordance with regulations under subsection (2A) there is no right of appeal, any purported appeal)”.