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STATUTORY INSTRUMENTS

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**2004 No. 3368**

**SOCIAL SECURITY  
TAX CREDITS  
FAMILY LAW  
CHILD SUPPORT**

**The Social Security, Child Support and Tax Credits  
(Decisions and Appeals) Amendment Regulations 2004**

*Made - - - - 20th December 2004*

*Coming into force in accordance with regulation 1*

Whereas a draft of this Instrument was laid before Parliament in accordance with section 80(1) of the Social Security Act 1998<sup>(1)</sup>, and paragraph 20(4) of Schedule 7 to the Child Support, Pensions and Social Security Act 2000<sup>(2)</sup>, and approved by a resolution of each House of Parliament;

Now, therefore, the Secretary of State for Work and Pensions in exercise of the powers conferred by section 4 (2) and (3) of the Vaccine Damage Payments Act 1979<sup>(3)</sup>, section 20(4), (5) and (6) of the Child Support Act 1991<sup>(4)</sup>, sections 5(1)(a) and (h), 6(1)(a) and (h), 189(1), (4) and (6) and 191 of the Social Security Administration Act 1992<sup>(5)</sup>, section 11(5) of the Social Security (Recovery of Benefits) Act 1997<sup>(6)</sup>, sections 7(6)(a), 12(2), 16(1), 79(1), (4), (6) and (7) and 84 of, and paragraphs 1 to 4 of Schedule 5 to, the Social Security Act 1998<sup>(7)</sup> and section 68 of, and paragraphs 6(2)(e), 10(1), 20(1) and (3) and 23(1) of Schedule 7 to, the Child Support, Pensions and Social Security Act 2000<sup>(8)</sup> and of all other powers enabling him in that behalf, after consultation with the Council on Tribunals in accordance with section 8 of the Tribunals and Inquiries Act 1992<sup>(9)</sup>, after agreement by the Social Security Advisory Committee that the proposals to make these Regulations should not be referred to it<sup>(10)</sup>, and so far as they concern housing benefit and council tax benefit

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(1) 1998 c. 14.

(2) 2000 c. 19.

(3) 1979 c. 17; section 4 was substituted by the Social Security Act 1998, section 46.

(4) 1991 c. 48; section 20 was substituted by the Social Security Act 1998, section 42 and was further substituted by the Child Support, Pensions and Social Security Act 2000 (c. 19), section 10.

(5) 1992 c. 5; section 6(1) was substituted by the Local Government Finance Act 1992 (c. 14), Schedule 9, paragraph 12(1)(a); section 191 is cited because of the meaning it gives to “prescribe”.

(6) 1997 c. 27.

(7) Section 12(2) was substituted by the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2), Schedule 7, paragraph 25; the powers in sections 16(1) and paragraphs 1 to 4 and 6 of Schedule 5, which are exercised in these Regulations in respect of Tax Credits, are those which have been applied and modified by S.I. 2002/2926 under powers contained in section 63(8) of the Tax Credits Act 2002 (c. 21); section 84 is cited because of the meaning it gives to “prescribe”.

(8) Paragraph 23(1) is cited because of the meaning it gives to “prescribed”.

(9) 1992 c. 53.

(10) See the Social Security Administration Act 1992, sections 172 and 173(1)(b) and Schedule 7, paragraph 9.

after consultation with organisations appearing to the Secretary of State to be representative of the authorities concerned<sup>(11)</sup>, hereby makes the following Regulations:

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<sup>(11)</sup> See the Social Security Administration Act 1992, section 176(1)(a).