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STATUTORY INSTRUMENTS

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**2008 No. 1554**

The Employment and Support Allowance  
(Consequential Provisions) (No. 2) Regulations 2008

**PART 4**

Administrative Provisions

CHAPTER 2

The Social Security and Child Support (Decisions and Appeals) Regulations 1999

**Amendment of regulation 6**

**32.**—(1) Regulation 6 (supersession of decisions) is amended as follows.

(2) In paragraph (2) <sup>M1</sup>—

- (a) in sub-paragraph (a)(i) after “Regulations” insert “ or regulation 146 of the Employment and Support Allowance Regulations ”;
- (b) in sub-paragraph (i) for “or income support” substitute “ , income support or an employment and support allowance ”; and
- (c) after sub-paragraph (o) add—
  - “(p) is a decision awarding employment and support allowance where there has been a failure determination;
  - (q) is a decision made in consequence of a failure determination where the reduction ceases to have effect under of regulation 64 of the Employment and Support Allowance Regulations;
  - (r) is an employment and support allowance decision where, since the decision was made, the Secretary of State has received medical evidence from a health care professional approved by the Secretary of State for the purposes of regulation 23 or 38 of the Employment and Support Allowance Regulations.”.

(3) In paragraph (6)(a) <sup>M2</sup> after “Income Support Regulations” insert “ , regulation 137 of the Employment and Support Allowance Regulations ”.

**Marginal Citations**

**M1** Paragraph (2) was amended by [S.I. 1999/1623](#), 1999/2570 and 1999/2677, 2000/1596, 2001/1711 and 2000/1982, 2002/428, 2002/490, 2000/897 and 2002/3019, 2003/1050, 2003/1886 and 2003/2274, 2004/959, 2005/337 and 2005/2677.

**M2** Paragraph (6) was amended by [S.I. 1999/2677](#) and 2005/337.

**Changes to legislation:**

There are currently no known outstanding effects for the The Employment and Support Allowance (Consequential Provisions) (No. 2) Regulations 2008, Section 32.