Changes to legislation: *The Tribunal Procedure (Upper Tribunal) Rules 2008, Section 19 is up to date with all changes known to be in force on or before 28 May 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) View outstanding changes*

STATUTORY INSTRUMENTS

2008 No. 2698

The Tribunal Procedure (Upper Tribunal) Rules 2008

PART 2

General powers and provisions

[F1Confidentiality in social security and child support cases]

[F1 19.—(1) Paragraph (4) applies to an appeal against a decision of the First-tier Tribunal—

(a) in proceedings under the Child Support Act 1991[M1] in the circumstances described in paragraph (2), other than an appeal against a reduced benefit decision (as defined in section 46(10)(b) of the Child Support Act 1991, as that section had effect prior to the commencement of section 15(b) of the Child Maintenance and Other Payments Act 2008[M2]); or

(b) in proceedings where the parties to the appeal include former joint claimants who are no longer living together in the circumstances described in paragraph (3).

(2) The circumstances referred to in paragraph (1)(a) are that—

(a) in the proceedings in the First-tier Tribunal in respect of which the appeal has been brought, there was an obligation to keep a person's address confidential; or

(b) an absent parent, non-resident parent or person with care would like their address or the address of the child to be kept confidential and has given notice to that effect to the Upper Tribunal—

(i) in an application for permission to appeal or notice of appeal;

(ii) within 1 month after an enquiry by the Upper Tribunal; or

(iii) when notifying any subsequent change of address after proceedings have been started.

(3) The circumstances referred to in paragraph (1)(b) are that—

(a) in the proceedings in the First-tier Tribunal in respect of which the appeal has been brought, there was an obligation to keep a person's address confidential; or

(b) one of the former joint claimants would like their address to be kept confidential and has given notice to that effect to the Upper Tribunal—

(i) in an application for permission to appeal or notice of appeal;

(ii) within 1 month after an enquiry by the Upper Tribunal; or

(iii) when notifying any subsequent change of address after proceedings have been started.

(4) Where this paragraph applies, the Secretary of State or other decision maker and the Upper Tribunal must take appropriate steps to secure the confidentiality of the address and of any information which could reasonably be expected to enable a person to identify the address, to the extent that the address or that information is not already known to each other party.

(5) In this rule—

"absent parent", "non-resident parent" and "person with care" have the meanings set out in section 3 of the Child Support Act 1991;

"joint claimants" means the persons who made a joint claim for a jobseeker's allowance under the Jobseekers Act 1995, a tax credit under the Tax Credits Act 2002 or in relation to whom an award of universal credit is made under Part 1 of the Welfare Reform Act 2012.**]**

Textual Amendments

F1 Rule 19 substituted (20.10.2014) by The Tribunal Procedure (Amendment No. 3) Rules 2014 (S.I. 2014/2128), rules 1(b), **7**

Marginal Citations

M1 1991 c.48.

M2 2008 c.6.

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Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:
Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 5 inserted by S.I. 2024/588 rule 2(5)
- rule 1(2A) inserted by S.I. 2024/588 rule 2(2)(a)
- rule 26D inserted by S.I. 2024/588 rule 2(4)