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STATUTORY INSTRUMENTS

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**2013 No. 381**

**SOCIAL SECURITY**

**The Universal Credit, Personal Independence Payment,  
Jobseeker's Allowance and Employment and Support  
Allowance (Decisions and Appeals) Regulations 2013**

*Made - - - - 25th February 2013*

*Coming into force in accordance with Regulation 1*

**THE UNIVERSAL CREDIT, PERSONAL INDEPENDENCE  
PAYMENT, JOBSEEKER'S ALLOWANCE AND  
EMPLOYMENT AND SUPPORT ALLOWANCE  
(DECISIONS AND APPEALS) REGULATIONS 2013**

PART 1

1. Citation, commencement and application
2. Interpretation
3. Service of documents
4. Electronic communications

PART 2

CHAPTER 1

5. Revision on any grounds
6. Late application for a revision
7. Consideration of revision before appeal

CHAPTER 2

8. Introduction
9. Official error, mistake etc.
10. Decisions against which no appeal lies
11. Decisions where there is an appeal

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12. Award of another benefit
13. Advance awards etc.
14. Sanctions cases etc.
15. Other decisions relating to an employment and support allowance
16. Other decisions relating to a jobseeker's allowance
17. Contributions cases
18. Other decisions relating to personal independence payment
19. Other decisions relating to universal credit

### CHAPTER 3

20. Procedure for making an application for a revision
21. Effective date of a revision

### PART 3

### CHAPTER 1

22. Introduction
23. Changes of circumstances
24. Error of law, ignorance, mistake etc.
25. Decisions against which no appeal lies
26. Medical evidence and limited capability for work etc.
27. Sanctions cases
28. Loss of benefit cases
29. Contributions cases
30. Housing costs: universal credit
31. Tribunal decisions

### CHAPTER 2

32. Decisions which may not be superseded
33. Procedure for making an application for a supersession

### CHAPTER 3

34. Introduction
35. Effective dates: Secretary of State decisions
36. Effective dates for superseding decisions where changes notified late
37. Effective dates: tribunal cases

### PART 4

38. Correction of accidental errors
39. Determinations on incomplete evidence
40. Determinations as to limited capability for work
41. Effect of alterations affecting universal credit
42. Issues for HMRC
43. Appeals raising issues for HMRC

PART 5

44. Suspension in prescribed cases
45. Provision of information or evidence
46. Making of payments which have been suspended

PART 6

47. Termination for failure to furnish information or evidence
48. Termination in the case of entitlement to alternative benefits

PART 7

49. Other persons with a right of appeal
  50. Decisions which may or may not be appealed
  51. Notice of a decision against which an appeal lies
  52. Appeals against decisions which have been revised
  53. Decisions involving issues that arise on appeal in other cases
  54. Appeals involving issues that arise in other cases
  55. Consequential amendments
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SCHEDULE 1 — EFFECTIVE DATES FOR SUPERSEDING DECISIONS MADE  
ON THE GROUND OF A CHANGE OF CIRCUMSTANCES

PART 1 — EMPLOYMENT AND SUPPORT ALLOWANCE AND  
JOBSEEKER'S ALLOWANCE

1. Subject to the following provisions of this Part and to...
2. Paragraph 1 does not apply where— (a) the superseding decision...
3. Where a relevant change of circumstances results, or is expected...
4. Where entitlement ends, or is expected to end, as the...
5. In the case of an employment and support allowance where...
6. Where the superseding decision is advantageous to the claimant and...
7. In the case of an employment and support allowance decision...
8. The superseding decision takes effect— (a) from the date on...
9. In the case of a claimant who makes an application...
10. Where the superseding decision is advantageous to the claimant and...
11. In this Part— “employment and support allowance decision” means a...

PART 2 — PERSONAL INDEPENDENCE PAYMENT

12. Subject to the following provisions of this Part and to...
13. Paragraph 12 does not apply where— (a) the superseding decision...
14. Except in a case where paragraph 15 or 31 applies,...
15. Where— (a) the change is relevant to entitlement to a...
16. Where the Secretary of State is satisfied that, in relation...
17. The superseding decision takes effect— (a) from the date on...
18. Where the superseding decision is advantageous to the claimant and...
19. In paragraphs 13 and 16, “personal independence payment decision” means...

PART 3 — UNIVERSAL CREDIT

20. Subject to the following paragraphs and to Part 4, in...
21. Except in a case to which paragraph 22 or 31...

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22. In the case of a person to whom regulation 61...
23. In the case of a universal credit decision where the...
24. The superseding decision takes effect— (a) from the first day...
25. Where— (a) the superseding decision is not advantageous to the...
26. Where, in any assessment period, a claimant—
27. A superseding decision of the Secretary of State to make...
28. In the case of a claimant who makes an application...
29. Where the superseding decision is advantageous to a claimant and...
30. In this Part, “a universal credit decision” means a decision...

PART 4 — COMMON PROVISIONS

31. (1) This paragraph applies in relation to an award of...
32. Where the change of circumstances is that there has been...
33. Where the change of circumstances is the expected coming into...

SCHEDULE 2 — DECISIONS AGAINST WHICH AN APPEAL LIES

1. A decision as to whether a person is entitled to...

SCHEDULE 3 — DECISIONS AGAINST WHICH NO APPEAL LIES

*Claims and Payments*

1. A decision under any of the following provisions of the...

*Other Jobseeker’s Allowance Decisions*

2. A decision made in accordance with regulation 39(2) (jobseeker’s allowance...

*Other Decisions relating to Universal Credit*

3. A decision in default of a nomination under regulation 21(4)...
4. A decision in default of an election under regulation 29...
5. A decision as to the amount of universal credit to...
6. So much of a decision as adopts a decision of...

*Suspension*

7. A decision of the Secretary of State relating to suspending...

*Decisions Depending on Other Cases*

8. A decision of the Secretary of State in accordance with...

*Expenses*

9. A decision of the Secretary of State whether to pay...

*Deductions*

10. A decision of the Secretary of State under the Fines...
11. Any decision of the Secretary of State under the Community...

*Loss of Benefit*

12. (1) In the circumstances referred to in sub-paragraph (2), a...

*Payments on Account, Overpayments and Recovery*

13. In the case of personal independence payment, a decision of...
14. A decision of the Secretary of State under the Social...
15. A decision of the Secretary of State under the Social...

*Reciprocal Agreements*

16. A decision of the Secretary of State made in accordance...

*European Community Regulations*

17. An authorisation given by the Secretary of State in accordance...

*Up-rating*

18. A decision of the Secretary of State relating to the...

Explanatory Note