
STATUTORY INSTRUMENTS

2014 No. 2128

The Tribunal Procedure (Amendment No. 3) Rules 2014

Amendments to the Tribunal Procedure (Upper Tribunal) Rules 2008

7. For rule 19 (confidentiality in child support or child trust fund cases)(1) substitute—

“Confidentiality in social security and child support cases

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(2) 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(3)); 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

(1) Rule 19 was amended by [S.I. 2012/2007](#).

(2) [1991 c. 48](#)

(3) [2008 c. 6](#)

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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⁽⁴⁾;

“joint claimants” means the persons who made a joint claim for a jobseeker’s allowance under the Jobseekers Act 1995⁽⁵⁾, a tax credit under the Tax Credits Act 2002⁽⁶⁾ or in relation to whom an award of universal credit is made under Part 1 of the Welfare Reform Act 2012⁽⁷⁾.”

(4) The definition of “non-resident parent” was added by the Child Support, Pensions and Social Security Act 2000 (c. 19), Schedule 3, paragraph 11(2).

(5) 1995 c. 18

(6) 2002 c. 21

(7) 2012 c. 5