

1997 No. 955

FAMILY LAW

CHILD SUPPORT

**The Social Security (Adjudication) and Commissioners
Procedure and Child Support Commissioners
(Procedure) Amendment Regulations 1997**

<i>Made</i> - - - -	<i>18th March 1997</i>
<i>Laid before Parliament</i>	<i>20th March 1997</i>
<i>Coming into force</i>	<i>28th April 1997</i>

The Lord Chancellor, in relation to regulations 7 to 13, and regulation 1 in so far as it relates to those regulations, in exercise of the powers conferred upon him by sections 22(3) and (4), 24(6) and (7) and 52 of the Child Support Act 1991^(a) and sections 23(10), 34(4), 48(3) and 189(2) of the Social Security Administration Act 1992^(b) and of all other powers enabling him in that behalf, after consultation with the Lord Advocate; and the Secretary of State for Social Security, in relation to regulations 2 to 6, and regulation 1 in so far as it relates to those regulations, in exercise of the powers conferred upon him by sections 23(10), 34(4) and 48(3) of the Social Security Administration Act 1992 and of all other powers enabling him in that behalf; after consultation with the Council on Tribunals in accordance with section 8(1) of the Tribunals and Inquiries Act 1992^(c), hereby make the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Adjudication) and Commissioners Procedure and Child Support Commissioners (Procedure) Amendment Regulations 1997 and shall come into force on 28th April 1997.

(2) In these Regulations—

“the Adjudication Regulations” means the Social Security (Adjudication) Regulations 1995^(d);

“the Child Support Commissioners Procedure Regulations” means the Child Support Commissioners (Procedure) Regulations 1992^(e);

“the Commissioners Procedure Regulations” means the Social Security Commissioners Procedure Regulations 1987^(f).

(a) 1991 c.48.

(b) 1992 c.5.

(c) 1992 c.53.

(d) S.I. 1995/1801. The relevant amending instruments are S.I. 1996/1518 and 1996/2450.

(e) S.I. 1992/2640.

(f) S.I. 1987/214. The relevant amending instrument is S.I. 1992/1121.

SOCIAL SECURITY (ADJUDICATION) AND COMMISSIONERS PROCEDURE
AND CHILD SUPPORT (COMMISSIONERS PROCEDURE) AMENDMENT
REGULATIONS 1997

[Regulations 2 to 6 amends S.I. 1995/1801 reproduced in the Law Relating to Social Security.]

[Regulations 7 to 9 amends S.I. 1992/2640 reproduced in the Law Relating to Social Security.]

[Regulation 10 amends regulation 1 to S.I. 1987/214.]

[Regulation 11 amends regulation 2 to S.I. 1987/214.]

[Regulation 12 amends regulation 3 to S.I. 1987/214.]

[Regulation 13 amends regulation 5 to S.I. 1987/214.]

Signed by authority of the Secretary of State for Social Security.

Roger Evans
Parliamentary Under Secretary of State
Department of Social Security

18th March 1997

Mackay of Clashfern, C.

18th March 1997

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the provisions of the Social Security (Adjudication) Regulations 1995, the Social Security Commissioners Procedure Regulations 1987 and the Child Support Commissioners (Procedure) Regulations 1992 in so far as they relate to applications for leave to appeal against a tribunal decision.

These Regulations require any application for leave to appeal to a Commissioner against the decision of a tribunal to be accompanied by a copy of the tribunal's statement of the reasons for its decision and of its findings on questions of fact material thereto. This requirement applies equally whether the application is made to the chairman of a tribunal or to a Commissioner, and whether the tribunal in question is a social security appeal tribunal, a disability appeal tribunal or a medical appeal tribunal (regulations 3 to 5 and 8). A notice of appeal must also be accompanied by a copy of this statement (regulation 9).

The same changes are made in relation to child support by regulations 12 and 13.

The Regulations also amend the time limit for making an application to the chairman of a social security appeal tribunal, a disability appeal tribunal, a medical appeal tribunal or a child support appeal tribunal for leave to appeal to a Commissioner so that it begins with the date on which the tribunal's statement of the reasons for its decision and of its findings on questions of fact material thereto is given or sent to the applicant (regulations 6 and 11).

The Regulations reflect the changes made in the Social Security (Adjudication) and Child Support Amendment (No. 2) Regulations 1996 (S.I. 1996/2450), which amended the provisions on the form and promulgation of tribunal decisions.

The Regulations do not impose any costs on business.