



Child Support Act 1995

1995 CHAPTER 34

Appeals

16 Lapse of appeals to child support appeal tribunals

In the 1991 Act, insert after section 20—

“20A Lapse of appeals

- (1) This section applies where—
 - (a) a person has brought an appeal under section 20; and
 - (b) before the appeal is heard, the decision appealed against is reviewed under section 19.
- (2) If the child support officer conducting the review considers that the decision which he has made on the review is the same as that which would have been made on the appeal had every ground of the appeal succeeded, the appeal shall lapse.
- (3) In any other case, the review shall be of no effect and the appeal shall proceed accordingly.”

17 Determination of questions other than by Child Support Commissioners

- (1) In Schedule 4 to the 1991 Act (Child Support Commissioners), insert after paragraph 4—

“Determination of questions by other officers

- 4A (1) The Lord Chancellor may by regulations provide—
 - (a) for officers authorised—
 - (i) by the Lord Chancellor; or
 - (ii) in Scotland, by the Secretary of State,

Status: This is the original version (as it was originally enacted).

to determine any question which is determinable by a Child Support Commissioner and which does not involve the determination of any appeal, application for leave to appeal or reference;

- (b) for the procedure to be followed by any such officer in determining any such question;
- (c) for the manner in which determinations of such questions by such officers may be called in question.

(2) A determination which would have the effect of preventing an appeal, application for leave to appeal or reference being determined by a Child Support Commissioner is not a determination of the appeal, application or reference for the purposes of sub-paragraph (1).”

- (2) In paragraph 7 of that Schedule (consultation with Lord Advocate), for “or 4(1) or (2) (b)” substitute “4(1) or (2)(b) or 4A(1)”.
- (3) In paragraph 8 of that Schedule (application of Schedule to Northern Ireland), in sub-paragraph (e), for “paragraphs 5” substitute “paragraphs 4A”.