



Social Security Act 1998

1998 CHAPTER 14

PART I

DECISIONS AND APPEALS

CHAPTER III

OTHER DECISIONS AND APPEALS

Child support

42 Child support: appeals to appeal tribunals

For sections 20 to 21 of the Child Support Act there shall be substituted the following section—

“20 Appeals to appeal tribunals

- (1) Where an application for a maintenance assessment is refused, the person who made that application shall have a right of appeal to an appeal tribunal against the refusal.
- (2) Where a maintenance assessment is in force—
 - (a) the absent parent or person with care with respect to whom it was made; or
 - (b) where the application for the assessment was made under section 7, either of them or the child concerned,shall have a right of appeal to an appeal tribunal against the amount of the assessment or the date from which the assessment takes effect.
- (3) Where a maintenance assessment is cancelled, or an application for the cancellation of a maintenance assessment is refused—

Status: This is the original version (as it was originally enacted).

- (a) the absent parent or person with care with respect to whom the maintenance assessment in question was, or remains, in force; or
 - (b) where the application for that assessment was made under section 7, either of them or the child concerned,shall have a right of appeal to an appeal tribunal against the cancellation or refusal.
- (4) A person with a right of appeal under this section shall be given such notice of that right and, in the case of a right conferred by subsection (1) or (3), such notice of the decision as may be prescribed.
- (5) Regulations may make—
 - (a) provision as to the manner in which, and the time within which, appeals are to be brought; and
 - (b) such provision with respect to proceedings before appeal tribunals as the Secretary of State considers appropriate.
- (6) The regulations may in particular make any provision of a kind mentioned in Schedule 5 to the Social Security Act 1998.
- (7) In deciding an appeal under this section, an appeal tribunal—
 - (a) need not consider any issue that is not raised by the appeal; and
 - (b) shall not take into account any circumstances not obtaining at the time when the decision or assessment appealed against was made.”