

Changes to legislation: Child Support, Pensions and Social Security Act 2000, Cross Heading: Decisions superseding earlier decisions is up to date with all changes known to be in force on or before 27 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

[^{F1}SCHEDULE 7

HOUSING BENEFIT AND COUNCIL TAX BENEFIT: REVISIONS AND APPEALS

Textual Amendments

- F1** Sch. 7 repealed (1.4.2013 for specified purposes) by Welfare Reform Act 2012 (c. 5), s. 150(3), Sch. 14 Pt. 1; S.I. 2013/358, art. 8(c), Sch. 4 (with arts. 9, 10, Sch. 5)

Decisions superseding earlier decisions

- 4 (1) Subject to [^{F2}sub-paragraphs (4) and (4A)], the following, namely—
- (a) any relevant decision (whether as originally made or as revised under paragraph 3), ^{F3}...
 - [^{F4}(aa) any decision under this Schedule of an appeal tribunal or a Commissioner, and]
 - (b) any decision under this Schedule [^{F5}of the First-tier Tribunal or any decision of the Upper Tribunal which relates to any such decision],
- may be superseded by a decision made by the appropriate relevant authority, either on an application made for the purpose by a person affected by the decision or on their own initiative.
- (2) In this paragraph “the appropriate relevant authority” means the authority which made the decision being superseded, the decision appealed against to [^{F6}the tribunal or] the [^{F7}First-tier Tribunal] or, as the case may be, the decision to which the decision being appealed against to [^{F8}the Commissioner or] the [^{F9}Upper Tribunal] relates.
- (3) In making a decision under sub-paragraph (1), the relevant authority need not consider any issue that is not raised by the application or, as the case may be, did not cause them to act on their own initiative.
- (4) Regulations may prescribe the cases and circumstances in which, and the procedure by which, a decision may be made under this paragraph.
- [^{F10}(4A) Regulations may prescribe the cases and circumstances in which, and the procedure by which, a decision relating to housing benefit must be made by the appropriate relevant authority.]
- (5) Subject to sub-paragraph (6) and paragraph 18, a decision under this paragraph shall take effect as from the date on which it is made or, where applicable, the date on which the application was made.
- (6) Regulations may provide that, in prescribed cases or circumstances, a decision under this paragraph shall take effect as from such other date as may be prescribed.

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[^{F11}(7) In this paragraph—

“appeal tribunal” means an appeal tribunal constituted under Chapter 1 of Part 1 of the Social Security Act 1998 (the functions of which have been transferred to the First-tier Tribunal);

“Commissioner” means a person appointed as a Social Security Commissioner under Schedule 4 to that Act (the functions of whom have been transferred to the Upper Tribunal), and includes a tribunal of such persons.]]

Textual Amendments

- F2** Words in Sch. 7 para. 4(1) substituted (1.10.2007 for certain purposes and 7.4.2008 otherwise) by [Welfare Reform Act 2007 \(c. 5\)](#), **ss. 30(3)(a)**, 70; S.I. 2007/2872, **art. 2(2)(3)** (subject to [arts. 3-5](#))
- F3** Word in Sch. 7 para. 4(1)(a) repealed (with effect in accordance with s. 103(2) of the amending Act) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(1)(b), **Sch. 12 para. 5(2)**
- F4** Sch. 7 para. 4(1)(aa) inserted (with effect in accordance with s. 103(2) of the amending Act) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(1)(b), **Sch. 12 para. 5(2)**
- F5** Words in Sch. 7 para. 4(1)(b) substituted (3.11.2008) by [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 9(1), **Sch. 3 para. 190(2)(a)**
- F6** Words in Sch. 7 para. 4(2) inserted (with effect in accordance with s. 103(2) of the amending Act) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(1)(b), **Sch. 12 para. 5(3)(a)**
- F7** Words in Sch. 7 para. 4(2) substituted (3.11.2008) by [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 9(1), **Sch. 3 para. 190(2)(b)(i)**
- F8** Words in Sch. 7 para. 4(2) inserted (with effect in accordance with s. 103(2) of the amending Act) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(1)(b), **Sch. 12 para. 5(3)(b)**
- F9** Words in Sch. 7 para. 4(2) substituted (3.11.2008) by [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 9(1), **Sch. 3 para. 190(2)(b)(ii)**
- F10** Sch. 7 para. 4(4A) inserted (1.10.2007 for certain purposes and 7.4.2008 otherwise) by [Welfare Reform Act 2007 \(c. 5\)](#), **ss. 30(3)(b)**, 70; S.I. 2007/2872, **art. 2(2)(3)** (subject to [arts. 3-5](#))
- F11** Sch. 7 para. 4(7) inserted (with effect in accordance with s. 103(2) of the amending Act) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(1)(b), **Sch. 12 para. 5(4)**

Commencement Information

- I1** Sch. 7 para. 4 wholly in force at 2.7.2001; Sch. 7 para. 4 not in force at Royal Assent see s. 86(2)(3)(a); Sch. 7 para. 4 in force for certain purposes at 1.11.2000 by [S.I. 2000/2950](#), **art. 3(c)**; Sch. 7 para. 4 in force at 2.7.2001 by [S.I. 2001/1252](#), **art. 2(2)(a)(i)**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 70A inserted by [2012 c. 5 Sch. 3 para. 13](#)
- Sch. 7 para. 1(2)(c) inserted by [2007 c. 5 Sch. 5 para. 13](#)
- Sch. 7 para. 6(5A)(5B) inserted by [2012 c. 5 Sch. 11 para. 13\(3\)](#)
- Sch. 7 para. 6(8)(b) inserted by [2012 c. 5 Sch. 11 para. 13\(4\)\(b\)](#)
- Sch. 7 para. 6(8)(a) words in Sch. 7 para. 6(8) renumbered as Sch. 7 para. 6(8)(a) by [2012 c. 5 Sch. 11 para. 13\(4\)\(a\)](#)

Commencement Orders yet to be applied to the Child Support, Pensions and Social Security Act 2000

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2003/346 art. 2](#) amendment to earlier commencing SI 2003/192 art. 6