

SCHEDULE 6

Regulation 16(5)

DECISIONS AND APPEALS

1. The Social Security and Child Support (Decisions and Appeals) Regulations 1999^{M1} shall be amended in accordance with paragraphs 2 to 7.

Marginal Citations

M1 S.I. 1999/991; the relevant amending Instruments are S.I. 1999/1623 and 1670.

2. In regulation 1(3) (interpretation)–

(a) after the entry relating to “the date of notification” there shall be inserted the following entry–

““designated authority” has the meaning it has in regulation 2(1) of the Work-focused Interviews Regulations;”;

(b) for the entry relating to “official error”, there shall be substituted the following entry–

““official error” means an error made by–

(a) an officer of the Department of Social Security, the Board or the Department for Education and Employment acting as such which no person outside any of those Departments caused or to which no person outside any of those Departments materially contributed;

(b) a person employed by a designated authority acting on behalf of the authority, which no person outside that authority caused or to which no person outside that authority materially contributed;”;

(c) [^{F1}after the entry relating to “the Transfer Act”, there shall be inserted the following entries–

““work-focused interview” has the meaning it has in regulation 3 of the Work-focused Interviews Regulations;

“the Work-focused Interviews Regulations” means the Social Security (Work-focused Interviews) Regulations 2000 ;”.]

Textual Amendments

F1 Sch. 6 para. 2(c) revoked (30.9.2002) by Social Security (Jobcentre Plus Interviews) Regulations 2002 (S.I. 2002/1703), reg. 1, Sch. 1 (with reg. 16(2)(3))

3. In regulation 3 (revision of decisions)–

(a) after paragraph (6), there shall be inserted the following paragraph–

“(6A) A relevant decision within the meaning of section 2B(2) of the Administration Act^{M2} may be revised at any time if it contains an error.”;

(b) [^{F2}in paragraph (11), at the end of sub-paragraph (e) there shall be added–

“or

(f) in the case of a relevant person within the meaning of regulation 2(2) of the Work-focused Interviews Regulations, an office of any designated authority which displays the ONE logo.”]

Changes to legislation: There are currently no known outstanding effects for the The Social Security (Work-focused Interviews) Regulations 2000, SCHEDULE 6. (See end of Document for details)

Textual Amendments

F2 Sch. 6 para. 3(b) revoked (30.9.2002) by [Social Security \(Jobcentre Plus Interviews\) Regulations 2002 \(S.I. 2002/1703\)](#), [reg. 1](#), [Sch. 1](#) (with [reg. 16\(2\)\(3\)](#))

Marginal Citations

M2 Section 2B was inserted by Section 57 of the [Welfare Reform Act 1999 \(c. 30\)](#).

4. In regulation 6 (supersession of decisions), in paragraph (2), at the end there shall be added the following—

“and

(h) is one in respect of a person who—

- (i) is subsequently the subject of a separate decision or determination as to whether or not he took part in a work-focused interview;
- (ii) had been held not to have taken part in a work-focused interview but who had, subsequent to the decision to be superseded, attained the age of 60 or ceased to reside in an area in which there is a requirement to take part in a work-focused interview.”.

5. In regulation 7 (date from which decision superseded takes effect) ^{M3}, at the end there shall be added the following paragraphs—

“(25) In a case where a decision (“the first decision”) has been made that a person failed without good cause to take part in a work-focused interview, the decision under section 10 shall take effect as from the first day of the benefit week to commence for that person following the date of the first decision.

(26) In paragraph (25), “benefit week” means any period of 7 days corresponding to the week in respect of which the relevant social security benefit is due to be paid.”.

Marginal Citations

M3 The relevant amending Instrument is [S.I. 1999/1623](#).

6. In regulation 33 ^{M4}, in paragraph (2), after sub-paragraph (dd) there shall be inserted the following sub-paragraph—

“(ddd) in a case where the decision appealed against was a decision arising from a claim to a designated office, an office of a designated authority;”.

Marginal Citations

M4 The relevant amending Instruments are [S.I. 1999/1662](#) and 2570.

7. At the end of Schedule 2 there shall be added the following paragraph—

“**26.** Any decision treated as a decision of the Secretary of State whether or not to waive or defer a work-focused interview.”.

8. In regulation 2 of the Child Support (Maintenance Assessment Procedure) Regulations 1992 ^{M5}, in paragraph (2)—

(a) the following entry shall be inserted in the appropriate place—

Changes to legislation: There are currently no known outstanding effects for the The Social Security (Work-focused Interviews) Regulations 2000, SCHEDULE 6. (See end of Document for details)

““designated authority" has the meaning it has in regulation 2(1) of the Social Security (Work-focused Interviews) Regulations 2000.”;

(b) for the definition of “official error" there shall be substituted the following definition–

““official error" means an error made by–

- (a) an officer of the Department of Social Security acting as such which no person outside that Department caused or to which no person outside that Department materially contributed;
- (b) a person employed by a designated authority acting on behalf of the authority, which no person outside that authority caused or to which no person outside that authority materially contributed;”.

Marginal Citations

M5 [S.I. 1992/1813](#); the relevant amending Instrument is [S.I. 1999/1047](#).

9. In regulation 1 of the Child Support Departure Direction and Consequential Amendment Regulations 1996 ^{M6} in paragraph (2)–

(a) after the definition of “departure direction application form" there shall be inserted the following definition–

““designated authority" has the meaning it has in regulation 2(1) of the Social Security (Work-focused Interviews) Regulations 2000.”;

(b) for the definition of “official error" there shall be substituted the following definition–

““official error" means an error made by–

- (a) an officer of the Department of Social Security acting as such which no person outside that Department caused or to which no person outside that Department materially contributed;
- (b) a person employed by a designated authority acting on behalf of the authority, which no person outside that authority caused or to which no person outside that authority materially contributed;”.

Marginal Citations

M6 [S.I. 1996/2907](#); the relevant amending Instrument is [S.I. 1999/1047](#).

Changes to legislation:

There are currently no known outstanding effects for the The Social Security (Work-focused Interviews) Regulations 2000, SCHEDULE 6.