

SCHEDULE

Consequential, supplementary and incidental amendments

PART 2

Amendments to Statutory Instruments

Social Security and Child Support (Decisions and Appeals) Regulations 1999

113.—(1) The Social Security and Child Support (Decisions and Appeals) Regulations 1999(1) are amended as follows.

(2) In regulation 1 (interpretation)—

- (a) in paragraph (3), omit ““the Commission” means the Child Maintenance and Enforcement Commission;”;
- (b) in paragraph (a) of the definition of “official error” omit “, the Commission” (in each place); and
- (c) in the definition of “party to the proceedings” omit “or where the proceedings relate to child support, the Commission”.

(3) In regulation 3A (revision of child support decisions)—

- (a) in paragraph (1)—
 - (i) for “Commission” (in each place) substitute “Secretary of State”;
 - (ii) for the first, second and third “it” substitute “the Secretary of State”; and
 - (iii) for the final “it” substitute “the Secretary of State”;
- (b) in paragraphs (2)(b), (3) and (5), for “Commission” substitute “Secretary of State”;
- (c) in paragraph (5A)—
 - (i) for “Commission” (in both places) substitute “Secretary of State”; and
 - (ii) in sub-paragraph (c), omit “it had been” and for “it made” substitute “of making”; and
- (d) in paragraphs (8) and (9), for “Commission” (in each place) substitute “Secretary of State”.

(4) In regulation 6A (supersession of child support decisions)—

- (a) in paragraph (1), for “Commission” substitute “Secretary of State”;
- (b) in paragraph (2), for “Commission” substitute “Secretary of State” and for “its” substitute “the Secretary of State’s”; and
- (c) in paragraphs (3) and (4), for “Commission” (in each place) substitute “Secretary of State”.

(5) In regulation 6B (circumstances in which a child support decision may not be superseded), in paragraphs (1) and (5), for “Commission” substitute “Secretary of State”.

(6) In regulation 7C (procedure where the Secretary of State proposes to supersede a decision under section 17 of the Child Support Act on his own initiative), for “Commission” substitute “Secretary of State”, for “its” substitute “the Secretary of State’s” and for “it” substitute “the Secretary of State”.

(1) [S.I. 1999/991](#). Relevant amendments were made by [S.I. 2000/3185](#), [2001/158](#), [2002/1204](#), [2004/2415](#), [2008/2544](#) and [2683](#) and [2009/396](#)

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- (7) In regulation 15A (provision of information), for “Commission” (in each place) substitute “Secretary of State” and for “it” (in each place) substitute “the Secretary of State”.
- (8) In regulation 15B (procedure in relation to an application made under section 16 or 17 of the Child Support Act in connection with a previously determined variation)—
- (a) in paragraph (1), for “Commission” (in each place) substitute “Secretary of State” and for “it” (in each place) substitute “the Secretary of State”;
 - (b) in paragraph (2), for “Commission” (in each place) substitute “Secretary of State”;
 - (c) in paragraph (3)—
 - (i) for “Commission” substitute “Secretary of State”; and
 - (ii) in sub-paragraph (a)—
 - (aa) for the words from “it is satisfied” to “force” substitute “satisfied on the information or evidence available that a variation of the maintenance calculation in force will not be agreed”; and
 - (bb) for “it” (in both remaining places) substitute “the Secretary of State”;
 - (d) in paragraph (4)—
 - (i) for “Commission” (in each place) substitute “Secretary of State”;
 - (ii) for the first “it” substitute “the Secretary of State”; and
 - (iii) in sub-paragraph (a)—
 - (aa) for the first “it” substitute “the Secretary of State”; and
 - (bb) for “it may have” substitute “to be provided”; and
 - (iv) in sub-paragraph (b), for “it” substitute “the Secretary of State”;
 - (e) in paragraphs (5) and (6), for “Commission” substitute “Secretary of State” and for “it” substitute “the Secretary of State”;
 - (f) in paragraph (7), for “Commission” (in each place) substitute “Secretary of State” and for the first and second “it” substitute “the Secretary of State”; and
 - (g) in paragraph (8), for “Commission” substitute “Secretary of State” and for “it” substitute “the Secretary of State”.
- (9) In regulation 15C (notification of a decision made under section 16 or 17 of the Child Support Act)—
- (a) in paragraph (3), for “Commission” (in both places) substitute “Secretary of State”;
 - (b) in paragraphs (5), (9) and (11), for “Commission” (in each place) substitute “Secretary of State” and for “it” (in each place) substitute “the Secretary of State”; and
 - (c) in paragraph (12), for “Commission” substitute “Secretary of State”.
- (10) In regulation 23 (child support decisions involving issues that arise on appeal in other cases) —
- (a) in paragraph (3), for “Commission” substitute “Secretary of State”; and
 - (b) in paragraph (4), for “Commission” substitute “Secretary of State” and for “it” (in both places) substitute “the Secretary of State”.
- (11) In regulation 24 (child support appeals involving issues that arise in other cases)—
- (a) for “Commission” substitute “Secretary of State”; and
 - (b) in paragraph (a), for “it” substitute “the Secretary of State”.
- (12) In regulation 30 (appeal against a decision which has been replaced or revised), in paragraphs (1) and (5) omit “, the Commission”.

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(13) In regulation 32 (late appeals), in paragraphs (2) and (4), omit “, the Commission”.

(14) In regulation 33 (notice of appeal), in paragraphs (2) and (3), omit “, the Commission” (in each place).

(15) In Schedule 3D (effective dates for supersession of child support decisions), in paragraphs 9, 10 and 11, for “Commission” (in each place) substitute “Secretary of State”.