
STATUTORY INSTRUMENTS

2013 No. 381

The Universal Credit, Personal Independence Payment,
Jobseeker's Allowance and Employment and Support
Allowance (Decisions and Appeals) Regulations 2013

PART 3

SUPERSESSIONS

CHAPTER 2

SUPERSEDING DECISIONS: LIMITATIONS AND PROCEDURE

Decisions which may not be superseded

32. A decision which may be revised under section 9 of the 1998 Act may not be superseded under Chapter 1 of this Part unless—

- (a) circumstances arise in which the Secretary of State may revise the decision under Part 2; and
- (b) further circumstances arise in relation to that decision which—
 - (i) are not set out in that Part; but
 - (ii) are set out in Chapter 1 of this Part or are ones where a superseding decision may be made in accordance with regulation 33(3).

Procedure for making an application for a supersession

33.—(1) The Secretary of State may treat an application for a revision under section 9 of the 1998 Act, or a notification of a change of circumstances, as an application for a supersession under section 10 of that Act.

(2) The following paragraph applies where the Secretary of State, in order to consider all the issues raised by the application, requires further evidence or information from a person who has applied for a supersession (“the applicant”).

- (3) The Secretary of State must notify the applicant that—
 - (a) the further evidence or information specified in the notification is required;
 - (b) if the applicant provides the relevant evidence or information within one month of the date of notification or such longer period as the Secretary of State may allow, the decision may be superseded taking such information or evidence into account; and
 - (c) if the applicant does not provide such evidence or information within that period, the decision to be superseded may be superseded taking into account only such evidence or information as was submitted with the application for a supersession.