



Social Security Act 1975

1975 CHAPTER 14

PART III

DETERMINATION OF CLAIMS AND QUESTIONS

Adjudication by insurance officers, local tribunals and Commissioners

103 Reference of special questions

- (1) The following subsections apply if on consideration of any claim or question an insurance officer is of opinion that there arises—
 - (a) a question for determination by the Secretary of State under section 93 or 95 of this Act, or by the Attendance Allowance Board under section 105(3); or
 - (b) either of the disablement questions (section 108) in relation to industrial injuries benefit.
- (2) Subject to subsection (3) below, the insurance officer shall—
 - (a) refer the question so arising for determination by the Secretary of State or by the Attendance Allowance Board, or in accordance with section 108 below, as the case may require; and
 - (b) deal with any other questions as if the question so referred had not arisen.
- (3) The insurance officer may—
 - (a) postpone the reference of, or dealing with, any question until other questions have been determined ;
 - (b) in cases where the determination of any question disposes of a claim or any part of it make an award or decide that an award cannot be made, as to the claim or that part of it without referring or dealing with, or before the determination of, any other question.
- (4) Subsections (2) and (3) above apply to a local tribunal and a Commissioner as they apply to an insurance officer, except that a tribunal or Commissioner shall, instead of referring a question in accordance with subsection (2)(a), direct it to be so referred by an insurance officer.