



Social Security Administration (Northern Ireland) Act 1992

1992 CHAPTER 8

PART II

ADJUDICATION

[^{F1} Incapacity for work

Textual Amendments

- F1** [S. 59A](#) and the preceding cross-heading inserted (21.11.1994 for certain purposes, otherwise 13.4.1995) by [S.I. 1994/1898 \(N.I. 12\)](#), [art. 8\(2\)](#); [S.R. 1994/450](#), [art. 2](#), [Sch. Pts. II, IV](#)

^{F2F3}59A Adjudication: incapacity for work.

- (1) The following provisions apply in relation to the determination, for any purpose for which the provisions of Part XIIA of the Contributions and Benefits Act apply, whether a person—
- (a) is, or is to be treated as, capable or incapable of work; or
 - (b) falls to be disqualified for any period in accordance with regulations under section 167E of that Act;
- and to the determination for any such purpose of such other related questions as may be prescribed.
- (2) Provision may be made by regulations for a determination made for one such purpose to be treated as conclusive for another such purpose.

Regulations may in particular provide that a determination that a person is disqualified for any period in accordance with regulations under section 167E of the Contributions and Benefits Act shall have effect for such purposes as may be prescribed as a determination that he is to be treated as capable of work for that period, and *vice versa*.

Changes to legislation: *Social Security Administration (Northern Ireland) Act 1992, Cross Heading: Incapacity for work is up to date with all changes known to be in force on or before 11 June 2024. 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*

- (3) Provision may be made by regulations for questions of such descriptions as may be prescribed to be determined by an adjudication officer, notwithstanding that other questions fall to be determined by another authority.
- (4) Provision may be made by regulations—
- (a) requiring a social security appeal tribunal to sit with one or more medical assessors in such classes of case as may be prescribed; and
 - (b) as to the constitution of panels of medical practitioners to act as medical assessors in such cases;
- and regulations under this subsection may confer on the President, or such other person as may be prescribed, such functions as may be prescribed.]

Textual Amendments

- F2** S. 59A and the preceding cross-heading inserted (21.11.1994 for certain purposes, otherwise 13.4.1995) by S.I. 1994/1898 (N.I. 12), **art. 8(2)**; S.R. 1994/450, art. 2, Sch. Pts. II, **IV**
- F3** S. 59A ceased to have effect (5.7.1999, 6.9.1999, 5.10.1999, 18.10.1999 and 29.11.1999 for different purposes, otherwise *prosp.*) by virtue of S.I. 1998/1506 (N.I. 10), **arts. 1(2), 39(3)**; S.R. 1999/310, art. 2(1)(b), **Sch. 1** (with arts. 4, 14); S.R. 1999/371, art. 2(b), **Sch. 1** (with arts. 4, 18); S.R. 1999/407, art. 2(b), **Sch. 1** (with art. 4); S.R. 1999/428, art. 2(b), **Sch. 1** (with arts. 4, 16) and S.R. 1999/472, art. 2(1), **Sch. 1** (with arts. 20-22) (subject to art. 2(2) of the said S.R. 1999/472)
- S. 59A repealed (29.11.1999 for certain purposes, otherwise *prosp.*) by S.I. 1998/1506 (N.I. 10), **arts. 1(2), 78(2), Sch. 7**; S.R. 1999/472, art. 2(1), **Sch. 1** (with arts. 20-22) (subject to art. 2(2) of the said S.R. 1999/472)

Modifications etc. (not altering text)

- C1** S. 59A: power to make regulations modified (1.7.1998) by S.I. 1998/1506 (N.I. 10), **arts. 1(3), 73**

Changes to legislation:

Social Security Administration (Northern Ireland) Act 1992, Cross Heading: Incapacity for work is up to date with all changes known to be in force on or before 11 June 2024. 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.

[View outstanding changes](#)

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

- Act applied (with modifications) by [S.I. 2018/1125 reg. 8](#) (This amendment not applied to legislation.gov.uk. [S.I. 2018/1125, reg. 8](#) omitted (31.12.2020) by virtue of Private International Law (Implementation of Agreements) Act 2020 (c. 24), s. 4(3), Sch. 5 para. 4(4))
- Act modified by [S.R. 2019/211 art. 2\(2\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Affecting Order revoked (19.12.2020) without ever being in force by [S.R. 2020/347](#), arts. 1(1), 2)

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

- s. 101(1)(4)(5)s. 101(6)(a)(b) words repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 1](#)
- s. 2A(9) added by [2010 c. 13 \(N.I.\) Sch. 1 para. 24](#)
- s. 2G(1)(d) inserted by [S.I. 2015/2006 \(N.I.\) art. 65\(5\)](#)
- s. 5(1A)-(1C) inserted by [2010 c. 13 \(N.I.\) s. 18\(2\)\(c\)](#)
- s. 31A(1A) words substituted by [S.I. 2015/2006 \(N.I.\) Sch. 4 para. 11\(a\)\(ii\)](#)
- s. 104A(1A)-(1C) inserted by [2007 c. 2 \(N.I.\) s. 42\(3\)](#)
- s. 110A inserted by [2007 c. 2 \(N.I.\) s. 43](#)
- s. 110A repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 1](#)
- s. 110A heading word inserted by [S.I. 2015/2006 \(N.I.\) art. 114\(4\)](#)
- s. 110A(2) words substituted by [S.I. 2015/2006 \(N.I.\) art. 114\(5\)\(a\)](#)
- s. 110A(2)(b) words substituted by [S.I. 2015/2006 \(N.I.\) art. 114\(5\)\(b\)](#)
- s. 110A(4)(b) words substituted by [S.I. 2015/2006 \(N.I.\) art. 114\(6\)](#)
- s. 110ZA inserted by [S.I. 2015/2006 \(N.I.\) art. 114\(2\)](#)
- s. 110ZA repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 1](#)
- s. 116E and cross-heading inserted by [2010 c. 13 \(N.I.\) s. 16\(3\)](#)
- s. 126(2)-(2B) substituted for s. 126(2) by [2007 c. 2 \(N.I.\) s. 35](#)
- s. 130AB inserted by [2008 c. 13 \(N.I.\) Sch. 3 para. 14](#)
- s. 140C inserted by [S.I. 2015/2006 \(N.I.\) Sch. 2 para. 20](#)
- s. 166(2)(ac) inserted by [2010 c. 13 \(N.I.\) s. 17](#)