



# Social Security Administration (Northern Ireland) Act 1992

## 1992 CHAPTER 8

### PART XV **U.K.**

#### GENERAL

#### *Supplementary*

#### 167 Interpretation. **N.I.**

(1) In this Act, unless the context otherwise requires—

“the Assembly” means the Northern Ireland Assembly;

“the 1975 Act” means the <sup>M1</sup>Social Security (Northern Ireland) Act 1975;

“benefit” means benefit under the Contributions and Benefits Act [<sup>F1</sup>and includes a jobseeker’s allowance ][<sup>F2</sup>, state pension credit and an employment and support allowance] ;

“Christmas bonus” means a payment under Part X of the Contributions and Benefits Act;

“claimant” (in relation to contributions under Part I and to benefit under Parts II to IV of the Contributions and Benefits Act) means—

- (a) a person whose right to be excepted from liability to pay, or to have his liability deferred for, or to be credited with, a contribution, is in question;
- (b) a person who has claimed benefit;

and includes, in relation to an award or decision, a beneficiary under the award or affected by the decision;

“claim” is to be construed in accordance with “claimant”;

“claimant” (in relation to industrial injuries benefit) means a person who has claimed such a benefit and includes—

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- (a) an applicant for a declaration under [<sup>F3</sup>Article 29 of the Social Security (Northern Ireland) Order 1998] that an accident was or was not an industrial accident; and
- (b) in relation to an award or decision, a beneficiary under the award or affected by the decision;

[<sup>F4</sup>“Commissioner” means the Chief Social Security Commissioner or any other Social Security Commissioner and includes a tribunal of 2 or more Commissioners constituted under Article 16(7) of the Social Security (Northern Ireland) Order 1998;]

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<sup>F5</sup>  
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“the Consequential Provisions Act” means the <sup>M2</sup>Social Security (Consequential Provisions) (Northern Ireland) Act 1992;

“Consolidated Fund” means the Consolidated Fund of Northern Ireland;

[<sup>F6</sup>“contribution” means a contribution under Part I of the Contributions and Benefits Act;]

[<sup>F7</sup>“contribution-based jobseeker’s allowance” has the same meaning as in the Jobseekers (Northern Ireland) Order 1995;]

“contribution card” has the meaning assigned to it by section 108(6) above;

“the Contributions and Benefits Act” means the <sup>M3</sup>Social Security Contributions and Benefits (Northern Ireland) Act 1992;

[<sup>F8</sup>“contributory employment and support allowance” means a contributory allowance under Part 1 of the Welfare Reform Act (Northern Ireland) 2007 (employment and support allowance);]

[<sup>F9</sup>“the Department” means the Department for Social Development but—

- (a) in sections 109A, 116 and 116B to 116D also includes the Department of Finance and Personnel; and
- (b) [<sup>F10</sup>in sections [<sup>F11</sup>2E, 2F, 2G (except in the second reference in subsection (11)(c))] 115D, 115E, 116, 116ZA, 116C and 116D also includes the Department for Employment and Learning;]]

“the Department of the Environment” means the Department of the Environment for Northern Ireland;

“the Department of Finance and Personnel” means the Department of Finance and Personnel in Northern Ireland; [<sup>F12</sup>but in sections 116 and 116B also includes the Department of the Environment;]

“disablement benefit” is to be construed in accordance with section 94(2) (a) of the Contributions and Benefits Act;

[<sup>F13</sup>“the disablement questions” is to be construed in accordance with section 43 above;]

“dwelling” means any residential accommodation, whether or not consisting of the whole or part of a building and whether or not comprising separate and self-contained premises;

“the Great Britain Administration Act” means the <sup>M4</sup>Social Security Administration Act 1992;

“the Great Britain Contributions and Benefits Act” means the <sup>M5</sup>Social Security Contributions and Benefits Act 1992;

“the Housing Executive” means the Northern Ireland Housing Executive;

[<sup>F14</sup>“income-based jobseeker’s allowance” has the same meaning as in the Jobseekers (Northern Ireland) Order 1995;]

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“income-related benefit” means—

- (a) income support;
- <sup>F15</sup>(b) .....
- <sup>F15</sup>(c) .....
- (d) housing benefit;

[<sup>F16</sup>“income-related employment and support allowance” means an income-related allowance under Part 1 of the Welfare Reform Act (Northern Ireland) 2007 (employment and support allowance);]

“industrial injuries benefit” means benefit under Part V of the Contributions and Benefits Act, other than under Schedule 8;

[<sup>F17</sup>“Inland Revenue” means the Commissioners of Inland Revenue;]

<sup>F18</sup>  
...  
<sup>F19</sup>  
...

“medical examination” includes bacteriological and radiographical tests and similar investigations, and “medically examined” has a corresponding meaning;

“medical practitioner” means—

- (a) a registered medical practitioner; or
- (b) a person outside the United Kingdom who is not a registered medical practitioner, but has qualifications corresponding (in the Department’s opinion) to those of a registered medical practitioner;

“medical treatment” means medical, surgical or rehabilitative treatment (including any course of diet or other regimen), and references to a person receiving or submitting himself to medical treatment are to be construed accordingly;

[<sup>F20</sup>[<sup>F21</sup>“money purchase contracted-out scheme” is to be construed in accordance with section 176A of the Pensions Act;]]

“National Insurance Fund” means the Northern Ireland National Insurance Fund;

“occupational pension scheme” has the same meaning as in [<sup>F22</sup>section 1 of the Pensions Act];

“the Old Cases Act” means the <sup>M6</sup>Industrial Injuries and Diseases (Northern Ireland Old Cases) Act 1975;

“Old Cases payments” means payments under Part I of Schedule 8 to the Contributions and Benefits Act;

“the 1986 Order” means the <sup>M7</sup>Social Security (Northern Ireland) Order 1986;

[<sup>F23</sup>“pensionable age” has the meaning given by the rules in paragraph 1 of Schedule 2 to the Pensions (Northern Ireland) Order 1995;]

[<sup>F24</sup>“the Pensions Act” means the Pension Schemes (Northern Ireland) Act 1993;]

“the Pensions Order” means the <sup>M8</sup>Social Security Pensions (Northern Ireland) Order 1975;

“personal pension scheme” has the meaning assigned to it by [<sup>F25</sup>section 1 of the Pensions Act][<sup>F26</sup>and “appropriate”, in relation to such a scheme, shall be construed in accordance with [<sup>F27</sup>section 176A(6)] of that Act];

“prescribe” means prescribe by regulations [<sup>F28</sup>and “prescribed” must be construed accordingly] ;

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[<sup>F29</sup>“President” means the President of social security appeal tribunals, medical appeal tribunals and disability appeal tribunals;]

“regulations” means regulations made by the Department or the Lord Chancellor under this Act;

[<sup>F30</sup>“state pension credit” means state pension credit under the State Pension Credit Act (Northern Ireland) 2002;]

“statutory provision” has the meaning assigned to it by section 1(f) of the <sup>M9</sup>Interpretation Act (Northern Ireland) 1954 ;

“tax year” means the 12 months beginning with 6th April in any year;

“widow’s benefit” has the meaning assigned to it by section 20(1)(e) of the Contributions and Benefits Act.

- (2) For the purposes of Part III of the <sup>M10</sup>Northern Ireland Constitution Act 1973 (validity of Measures of the Northern Ireland Assembly, including Orders in Council under the <sup>M11</sup>Northern Ireland Act 1974), provisions of this Act which re-enact provisions of a Measure of the Assembly or such an Order are to be treated as provisions of such a Measure or Order.

#### Textual Amendments

- F1** Words in s. 167(1) inserted (3.5.1996) by S.I. 1995/2705 (N.I. 15), art. 40(1), **Sch. 2 para. 51(2)**; S.R. 1996/180, **art. 2**
- F2** Words in s. 167(1) substituted (1.7.2008 for specified purposes, 27.7.2008 in so far as not already in force) by **Welfare Reform Act (Northern Ireland) 2007 (c. 2)**, s. 60(1), **Sch. 3 para. 4(28)(a)**; S.R. 2008/276, art. 2(2)(a)(i)(ii)
- F3** Words in s. 167(1) substituted (5.7.1999 and 29.11.1999 for different purposes, otherwise prosp.) by S.I. 1998/1506 (N.I. 10), arts. 1(2), 78(1), **Sch. 6 para. 87(b)**; S.R. 1999/310, art. 2(1)(b), **Sch. 1** (with arts. 4, 14); 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)
- F4** Definition in s. 167(1) substituted (5.7.1999, 6.9.1999, 5.10.1999, 18.10.1999 and 29.11.1999 for different purposes, otherwise prosp.) by S.I. 1998/1506 (N.I. 10), arts. 1(2), 78(1), **Sch. 6 para. 87(c)**; 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)
- F5** Definitions in s. 167(1) repealed (6.10.1997) by S.I. 1997/1183 (N.I. 11), art. 31(1)(2), **Sch. 3, para. 11, Sch. 4**; S.R. 1997/400, **art. 2**
- F6** Definition in s. 167(1) inserted (1.7.1997) by 1997 c. 47, s. 22, **Sch. 1 para. 14(2)**; S.I. 1997/1577, art. 2, **Sch.**
- F7** Definition in s. 167(1) inserted (3.5.1996) by S.I. 1995/2705 (N.I. 15), art. 40(1), **Sch. 2 para. 51(3)**; S.R. 1996/180, **art. 2**
- F8** Words in s. 167(1) inserted (1.7.2008 for specified purposes, 27.7.2008 in so far as not already in force) by **Welfare Reform Act (Northern Ireland) 2007 (c. 2)**, s. 60(1), **Sch. 3 para. 4(28)(b)**; S.R. 2008/276, art. 2(2)(a)(i)(ii)
- F9** S.167(1): definition of "the Department" substituted (9.9.2002) by **Employment Act 2002 (c. 22)**, ss. 53, 55(2), **Sch. 7 para. 17**; S.I. 2002/2256, **art. 2**
- F10** S. 167(1)(b) substituted (19.11.2002) by **Social Security Act (Northern Ireland) 2002 (c. 10)**, ss. 6(4), 9; S.R. 2002/351, **art. 2, Sch. Pt. I**
- F11** Words in s. 167(1) inserted (13.8.2010) by **Welfare Reform Act (Northern Ireland) 2010 (c. 13)**, ss. 2(5), 36(1)(a)
- F12** Words in definition in s. 167(1) inserted (1.7.1997) by 1997 c. 47, s. 22, **Sch. 1, para. 14(3)**; S.I. 1997/1577, art. 2, **Sch.**

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- F13** Definition in s. 167(1) repealed (29.11.1999 for certain purposes, otherwise prosp.) by S.I. 1998/1506 (N.I. 10), arts. 1(2), 78, Sch. 6 para. 87(a), **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)
- F14** Definition in s. 167(1) inserted (3.5.1996) by S.I. 1995/2705 (N.I. 15), art. 40(1), **Sch. 2 para. 51(4)**; S.R. 1996/180, **art. 2**
- F15** Words in s. 167(1) repealed (8.4.2003) by Tax Credits Act 2002 (c. 21), s. 61, **Sch. 6**; S.I. 2003/962, art. 2(4)(e), **Sch. 2** (with art. 3)
- F16** Words in s. 167(1) inserted (1.7.2008 for specified purposes, 27.7.2008 in so far as not already in force) by Welfare Reform Act (Northern Ireland) 2007 (c. 2), s. 60(1), **Sch. 3 para. 4(28)(c)**; S.R. 2008/276, art. 2(2)(a)(i)(ii)
- F17** Definition in s. 167(1) inserted (24.3.1999 for certain purposes, otherwise 1.4.1999) by S.I. 1999/671, arts. 1(2), 3(1), **Sch. 1 para. 35** (subject to transitional provisions in Sch. 7); S.R. 1999/149, art. 2(c), **Sch. 2** (subject to arts. 3-6 of the said S.R.)
- F18** Definition in s. 167(1) repealed (13.4.1995) by S.I. 1994/1898 (N.I. 12), art. 13(1)(2), Sch. 1 Pt. II, para. 51, **Sch. 2**; S.R. 1994/450, art. 2, **Sch. Pt. IV**
- F19** Definition in s. 167(1) repealed (2.12.1999) by 1998 c. 47, s. 100(2), **Sch. 15**; S.I. 1999/3209, art. 2, **Sch.**
- F20** Definitions in s. 167(1) added (7.2.1994) by 1993 c. 49, s. 184, **Sch. 7 para. 42(a)**; S.R. 1994/17, **art. 2**
- F21** Words in s. 167(1) substituted (6.4.2012) by The Pensions (2008 Act) (Abolition of Contracting-out for Defined Contribution Pension Schemes) (Consequential Provisions) Regulations (Northern Ireland) 2012 (S.R. 2012/120), regs. 1(a), **2(3)(a)**
- F22** Words in definition in s. 167(1) substituted (7.2.1994) by 1993 c. 49, s. 184, **Sch. 7 para. 42(b)**; S.R. 1994/17, **art. 2**
- F23** Definition in s. 167(1) substituted (6.4.1997) by S.I. 1995/3213 (N.I. 22), art. 123, **Sch. 2**, Pt. III, para. 10; S.R. 1997/192, **art. 2**
- F24** Definition in s. 167(1) inserted (7.2.1994) by 1993 c. 49, s. 184, **Sch. 7 para. 42(c)**; S.R. 1994/17, **art. 2**
- F25** Words in definition in s. 167(1) substituted (7.2.1994) by 1993 c. 49, s. 184, **Sch. 7 para. 42(d)**; S.R. 1994/17, **art. 2**
- F26** Words in definition in s. 167(1) added (7.2.1994) by 1993 c. 49, s. 184, **Sch. 7 para. 42(d)**; S.R. 1994/17, **art. 2**
- F27** Words in s. 167(1) substituted (6.4.2012) by The Pensions (2008 Act) (Abolition of Contracting-out for Defined Contribution Pension Schemes) (Consequential Provisions) Regulations (Northern Ireland) 2012 (S.R. 2012/120), regs. 1(a), **2(3)(b)**
- F28** Words in s. 167(1) added (29.6.2007) by Welfare Reform Act (Northern Ireland) 2007 (c. 2), s. 60(2) (b), **Sch. 5 para. 5**
- F29** Definition in s. 167(1) repealed (29.11.1999 for certain purposes, otherwise prosp.) by S.I. 1998/1506 (N.I. 10), arts. 1(2), 78, Sch. 6 para. 87(a), **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)
- F30** S. 167(1): definition of "state pension credit" inserted (2.12.2002) for certain purposes, otherwise prosp. by State Pension Credit Act (Northern Ireland) 2002 (c. 14), ss. 14, 21(2), **Sch. 2 Pt. 2 para. 22**; S.R. 2002/366, **art. 2(1)**

#### Marginal Citations

- M1** 1975 c. 15.  
**M2** 1992 c. 9.  
**M3** 1992 c. 7.  
**M4** 1992 c. 5.  
**M5** 1992 c. 4.  
**M6** 1975 c. 17.  
**M7** S.I. 1986/1888 (N.I. 18).  
**M8** S.I. 1975/1503 (N.I. 15).

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**M9** 1954 c. 33 (N.I.).

**M10** 1973 c. 36.

**M11** 1974 c. 28.

**168 Short title, commencement and extent. U.K.**

- (1) This Act may be cited as the Social Security Administration (Northern Ireland) Act 1992.
- (2) This Act is to be read, where appropriate, with the Contributions and Benefits Act and the Consequential Provisions Act.
- (3) The enactments consolidated by this Act are repealed, in consequence of the consolidation, by the Consequential Provisions Act.
- (4) Except as provided in Schedule 4 to the Consequential Provisions Act, this Act shall come into force on 1st July 1992.
- (5) Subject to subsection (6) below, this Act extends to Northern Ireland only.
- (6) Section 22 above and this section also extend to Great Britain.

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