

*Status: Point in time view as at 14/12/2009.*

*Changes to legislation: Social Security Administration (Northern Ireland) Act 1992, Paragraph 1 is up to date with all changes known to be in force on or before 14 July 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)*

## SCHEDULES

### SCHEDULE 6

#### OLD CASES PAYMENTS ADMINISTRATION

*Provisions ancillary to paragraph 2 of Schedule 8 to Contributions and Benefits Act*

- 1 (1) The provisions of this paragraph shall have effect with respect to regulations under paragraph 2 of Schedule 8 to the Contributions and Benefits Act, and any such regulations are hereafter in this paragraph referred to as “the regulations”.
- (2) The regulations shall in particular make provision—
- (a) for enabling claims for or in respect of allowances to be made to the Department in such manner as the regulations may provide;
  - (b) for the determination by the Department of questions arising on or in connection with any such claims or on or in connection with the regulations and for conferring a right of appeal from any decision of the Department on any such question to a Commissioner;
  - (c) for the review of such decisions in such circumstances and in such manner as the regulations may provide.
- (3) Without prejudice to the generality of sub-paragraph (2) above, the regulations may make provision—
- (a) for enabling any class or description of such questions as are mentioned in sub-paragraph (2)(b) above to be determined as if they had arisen under Parts II to VI of the Contributions and Benefits Act;
  - (b) as to the procedure to be followed in connection with the consideration and determination of claims and questions by the Department and the Commissioner;
  - (c) for applying, with or without modifications, section 163(1) and (2) above, or for making provision corresponding to those subsections;
  - (d) for requiring persons claiming or receiving allowances to furnish information and evidence and to undergo medical or other examination;
  - (e) for requiring the repayment to the Department in whole or in part of payments under paragraph 2 of Schedule 8 to the Contributions and Benefits Act subsequently found not to have been due, for the deduction of any sums so required to be repaid from payments under paragraph 2 of that Schedule or by way of industrial injuries benefit, and for the deduction from payments under that paragraph of any sums which may by virtue of any provision of this Act be recovered by deduction from any payment by way of such benefit.
- (4) Subject to any provisions of the regulations for reviewing decisions, the decision in accordance with the regulations of any question arising under the regulations shall be final for the purposes of Schedule 8 to the Contributions and Benefits Act.

*Status: Point in time view as at 14/12/2009.*

*Changes to legislation: Social Security Administration (Northern Ireland) Act 1992, Paragraph 1 is up to date with all changes known to be in force on or before 14 July 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)*

- (5) Regulations varying earlier regulations may do so in such a way as to make allowances payable, or payable at an increased rate, under the earlier regulations in respect of periods before the making of the later regulations.
- (6) The Department may make such payments in connection with the administration of the regulations (including payments on account of travelling expenses or loss of remunerative time or both to persons required to undergo medical or other examination or to attend any hearing for the purpose of determining questions arising under the regulations) as it may, with the consent of the Department of Finance and Personnel, determine.
- (7) Notwithstanding anything in this Act [<sup>F1</sup>, Chapter II of Part II of the Social Security (Northern Ireland) Order 1998] or the Contributions and Benefits Act, the regulations shall not require a person to submit himself to medical treatment.

#### Textual Amendments

- F1** Words in Sch. 6 para. 1(7) inserted (5.7.1999 for certain purposes, otherwise *prosp.*) by S.I. 1998/1506 (N.I. 10), arts. 1(2), 78(1), **Sch. 6 para. 90**; S.R. 1999/310, art. 2(1)(b), **Sch. 1** (with arts. 4, 14)

**Status:**

Point in time view as at 14/12/2009.

**Changes to legislation:**

Social Security Administration (Northern Ireland) Act 1992, Paragraph 1 is up to date with all changes known to be in force on or before 14 July 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.