



# Social Security Administration (Northern Ireland) Act 1992

## 1992 CHAPTER 8

### PART XII

#### ADVISORY BODIES AND THE DUTY TO CONSULT

##### *Consultation with the Social Security Advisory Committee*

#### **149 Functions of Social Security Advisory Committee in relation to legislation and regulations.**

[<sup>F1</sup>(1) The Department may from time to time—

- (a) refer to the Social Security Advisory Committee for consideration and advice such questions relating to the operation of any of the relevant enactments as the Department thinks fit (including questions as to the advisability of amending any of them);
- (b) refer to the Industrial Injuries Advisory Council for consideration and advice such questions as the Department thinks fit relating to industrial injuries benefit or its administration.]

(2) Subject—

- (a) to subsection (3) below; and
- (b) to section 150 below,

where the Department proposes to make regulations under any of the relevant enactments, it shall refer the proposals, in the form of draft regulations or otherwise, to the Social Security Advisory Committee.

[<sup>F2</sup>(2A) Subject—

- (a) to subsection (3) below; and
- (b) to section 150 below,

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where the Department proposes to make regulations relating only to industrial injuries benefit or its administration, it shall refer the proposals, in the form of draft regulations or otherwise, to the Industrial Injuries Advisory Council for consideration and advice.]

(3) Subsection (2) above does not apply to the regulations specified in Schedule 5 to this Act [<sup>F3</sup>; and subsection (2A) above does not apply to the regulations specified in Schedule 5A to this Act].

[<sup>F4</sup>(3A) The Industrial Injuries Advisory Council may also give advice to the Department on any other matter relating to industrial injuries benefit or its administration.]

(4) The Department shall furnish the Social Security Advisory Committee with such information as the Committee may reasonably require for the proper discharge of its functions.

(5) In this section “the relevant enactments” means—

(a) the provisions of the Contributions and Benefits Act [<sup>F5</sup>, this Act and the Social Security (Incapacity for Work) (Northern Ireland) Order 1994], except as they apply to industrial injuries benefit<sup>F6</sup> ...;

[<sup>F7</sup>(aa) the provisions of the Jobseekers (Northern Ireland) Order 1995;]

and

[<sup>F8</sup>(ab) [<sup>F9</sup>Article 4 of the Child Support (Northern Ireland) Order 1995;]]

[<sup>F10</sup>(ac) the provisions of the Social Security (Recovery of Benefits) (Northern Ireland) Order 1997; and]

[<sup>F11</sup>(ad) the provisions of Chapter II of Part II of the Social Security (Northern Ireland) Order 1998 and Article 68 of that Order;]

[<sup>F12</sup>(ae) Articles 57, 69 and 70 of the Welfare Reform and Pensions (Northern Ireland) Order 1999, and]

[<sup>F13</sup>(af) sections 38<sup>F14</sup>... [<sup>F15</sup>, 60 and 61 of the Child Support, Pensions and Social Security Act (Northern Ireland) 2000;] and]

[<sup>F16</sup>(ag) [<sup>F17</sup>sections 5A to 10] of the Social Security Fraud Act (Northern Ireland) 2001;] or

[<sup>F18</sup>(ah) the provisions of the State Pension Credit Act (Northern Ireland) 2002;]

[<sup>F19</sup>(ai) Article 9 of the Age-Related Payments (Northern Ireland) Order 2004;]

[<sup>F20</sup>(aia) the provisions of Part 1 of the Welfare Reform Act (Northern Ireland) 2007;]

[<sup>F21</sup>(aj) sections 32 and 33 of the Welfare Reform Act (Northern Ireland) 2007;]

[<sup>F22</sup>(ak) the provisions of Part 2 of the Welfare Reform (Northern Ireland) Order 2015;]

[<sup>F23</sup>(aka) Articles 101 to 102 of that Order;]

[<sup>F24</sup>(al) Part 5 of that Order;]

[<sup>F25</sup>(am) the provisions of Part 1 of the Pensions Act (Northern Ireland) 2015;]

[<sup>F26</sup>(an) section 29 of the Pensions Act (Northern Ireland) 2015;]

[<sup>F27</sup>(ao) Articles 13, 14 and 16 of the Welfare Reform and Work (Northern Ireland) Order 2016;]

(b) the provisions of Part II of Schedule 3 to the Consequential Provisions Act, except as they apply to industrial injuries benefit; <sup>F28</sup> . . .

<sup>F28</sup>(c) . . . . .

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**Textual Amendments**

**F1** S. 149(1) substituted (2.12.1999) by 1998 c. 47, s. 89(1); S.I. 1999/3209, art. 2, Sch.

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- F2** S. 149(2A) inserted (2.12.1999) by 1998 c. 47, s. **89(2)**; S.I. 1999/3209, art. 2, **Sch.**
- F3** Words in s. 149(3) inserted (2.12.1999) by 1998 c. 47, s. **89(3)**; S.I. 1999/3209, art. 2, **Sch.**
- F4** S. 149(3A) inserted (2.12.1999) by 1998 c. 47, s. **89(4)**; S.I. 1999/3209, art. 2, **Sch.**
- F5** Words in s. 149(5)(a) substituted (13.4.1995) by S.I. 1994/1898 (N.I. 12), art. 13(1), **Sch. 1 Pt. II para. 50**; S.R. 1994/450, art. 2, **Sch. Pt. IV**
- F6** Words in s. 149(5)(a) repealed (31.10.2016) by The Welfare Reform (Northern Ireland) Order 2015 (S.I. 2015/2006), art. 2(2), **Sch. 12 Pt. 6**; S.R. 2016/234, art. 3(3)
- F7** S. 149(5)(aa) inserted (3.5.1996) by S.I. 1995/2705 (N.I. 15), **Sch. 2**, para. 45; S.R. 1996/180, **art. 2**
- F8** S. 149(5)(ab) inserted (16.10.1996) by S.I. 1995/2702 (N.I. 13), **Sch. 3**, para. 16; S.R. 1996/492, art. 2, **Sch. Pt. I**
- F9** Words in s. 149(5) repealed (3.3.2003 for specified purposes) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), s. 68(1)(2), **Sch. 9 Pt. I** (with s. 66(6)); S.R. 2003/53, art. 3, **Sch.**
- F10** S. 149(5)(ac) inserted (6.10.1997) by S.I. 1997/1183 (N.I. 12), art. 31(1), **Sch. 3**, para. 7; S.R. 1997/400, **art. 2**
- F11** S. 149(5)(ad) inserted (10.3.1999) by S.I. 1998/1506 (N.I. 10), art. 78(1), **Sch. 6**, para. 81; S.R. 1999/102, **art. 2(c)**
- F12** S. 149(5)(ae) inserted (1.12.1999) by S.I. 1999/3147 (N.I. 11), arts. 1(4)(f), 74, **Sch. 9 para. 57** (with art. 75)
- F13** S. 149(5)(af) inserted (22.11.2000) by 2000 c. 4 (N.I.), s. **64** (with s. 66(6)); S.R. 2000/358, art. 2(a), **Sch. Pt. I**
- F14** Words in s. 149(5) repealed (23.9.2010) by Welfare Reform Act (Northern Ireland) 2010 (c. 13), s. 36(2), **Sch. 4 Pt. 3**; S.R. 2010/327, art. 2(2)(c)
- F15** Words in s. 149(5) inserted (2.5.2016 for specified purposes) by The Welfare Reform (Northern Ireland) Order 2015 (S.I. 2015/2006), art. 2(2), **Sch. 2 para. 22(a)**; S.R. 2016/215, art. 2(2)(c)(v)(dd)
- F16** S. 149(5)(ag) inserted (1.4.2002) by 2001 c. 17 (N.I.), ss. 11(3), 17(1); S.R. 2002/75, **art. 2**
- F17** Words in s. 149(5) substituted (13.8.2010) by Welfare Reform Act (Northern Ireland) 2010 (c. 13), s. 36(1)(e), **Sch. 3 para. 7**
- F18** S. 149(5)(ah) inserted (2.12.2002 for certain purposes, 6.10.2003 in so far as not already in force) by State Pension Credit Act (Northern Ireland) 2002 (c. 14), ss. 14, 21(2), **Sch. 2 Pt. 2 para. 18**; S.R. 2002/366, **art. 2(1)**; S.R. 2003/373, art. 2
- F19** Words in s. 149(5) inserted (4.8.2004) by The Age-Related Payments (Northern Ireland) Order 2004 (S.I. 2004/1987), arts. 1(2), **9(5)**
- F20** S. 149(5)(aia) inserted (27.10.2008) by Welfare Reform Act (Northern Ireland) 2007 (c. 2), s. 60(1), **Sch. 3 para. 4(24)**; S.R. 2008/276, art. 2(2)(d), **Sch. Pt. 2**
- F21** S. 149(5)(aj) inserted (1.7.2008 for specified purposes, 6.10.2008 in so far as not already in force) by Welfare Reform Act (Northern Ireland) 2007 (c. 2), ss. **33(11)**, 60(1); S.R. 2008/276, art. 2(1)(a)(b)
- F22** Words in s. 149(5) inserted (2.5.2016 for specified purposes) by The Welfare Reform (Northern Ireland) Order 2015 (S.I. 2015/2006), art. 2(2), **Sch. 2 para. 22(b)**; S.R. 2016/215, art. 2(2)(c)(v)(dd)
- F23** S. 149(5)(aka) inserted (13.10.2016) by The Welfare Reform and Work (Northern Ireland) Order 2016 (S.I. 2016/999), arts. 2(2)(c), **7(2)**
- F24** S. 149(5)(al) inserted (20.6.2016) by The Welfare Reform (Northern Ireland) Order 2015 (S.I. 2015/2006), art. 2(2), **Sch. 9 para. 23**; S.R. 2016/215, art. 3(2)
- F25** Words in s. 149(5) inserted (6.4.2016 unless brought into operation earlier by an order under s. 53(1) of the amending Act) by Pensions Act (Northern Ireland) 2015 (c. 5), s. 53(3), **Sch. 12 para. 20**
- F26** Words in s. 149(5) inserted (6.4.2017) by Pensions Act (Northern Ireland) 2015 (c. 5), s. 53(1), **Sch. 16 para. 30**; S.R. 2017/44, art. 2(2) (with arts. 3, 4)
- F27** S. 149(5)(ao) inserted (4.9.2017) by The Welfare Reform and Work (Northern Ireland) Order 2016 (S.I. 2016/999), arts. 2(1), **15(3)**; S.R. 2017/166, art. 2(c)
- F28** S. 149(5)(c) and word preceding it repealed (7.2.1994) by 1993 c. 49, s. 182(1), **Sch. 4 Pt. I**; S.R. 1994/17

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**Modifications etc. (not altering text)**

**C1** S. 149(2) excluded (15.12.2008) by [Pensions \(No. 2\) Act \(Northern Ireland\) 2008 \(c. 13\), ss. 102\(5\), 118\(2\)](#)

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**Changes and effects yet to be applied to :**

- s. 149(5) words repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 1](#)
- s. 149(5)(aj) repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 1](#)

**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](#)