



# Pension Schemes (Northern Ireland) Act 1993

## 1993 CHAPTER 49

### PART XI

#### GENERAL AND MISCELLANEOUS PROVISIONS

##### *General provisions as to determinations and appeals*

#### **166 Questions arising in proceedings**

- (1) Where in any proceedings—
  - (a) for an offence under this Act; or
  - (b) involving any question as to the payment of a state scheme premium;any such question arises as is mentioned in section 165(1)(a), (b)(i) or (c), the decision of the Department shall be conclusive for the purpose of the proceedings.
- (2) If—
  - (a) a decision of any such question is necessary for the determination of the proceedings; and
  - (b) the decision of the Department has not been obtained or a question has been raised with a view to a review of the decision obtained,the question shall be referred to the Department for determination or review in accordance (subject to any necessary modifications) with sections 15 to 17 of the Social Security Administration (Northern Ireland) Act 1992.
- (3) Subsection (1) does not apply if—
  - (a) an appeal under section 16 of that Act is pending; or
  - (b) the time for appealing has not expired; or
  - (c) a question has been raised with a view to a review of the Department's decision under section 17 of that Act,

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*Status: This is the original version (as it was originally enacted).*

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and the court dealing with the case shall adjourn the proceedings until such time as a final decision on the question has been obtained.