
STATUTORY INSTRUMENTS

1998 No. 1506

The Social Security (Northern Ireland) Order 1998

PART II

DECISIONS AND APPEALS

CHAPTER II

SOCIAL SECURITY DECISIONS AND APPEALS

Decisions

Decisions by the Department

^{F1F2F3}9.—(1) Subject to the provisions of this Chapter, it shall be for the Department—

- (a) to decide any claim for a relevant benefit;
- (b) to decide any claim for a social fund payment mentioned in section 134(1)(b) of the Contributions and Benefits Act;^{F4} and]
- (c) subject to paragraph (5), to make any decision that falls to be made under any relevant statutory provision;^{F4} . . .

Sub#para. (d) rep. by SI 1999/671

(2) Where at any time a claim for a relevant benefit is decided by the Department—

- (a) the claim shall not be regarded as subsisting after that time; and
- (b) accordingly, the claimant shall not (without making a further claim) be entitled to the benefit on the basis of circumstances not obtaining at that time.

(3) ^{F5}In this Chapter “relevant benefit”, . . . , means any of the following, namely—

- (a) benefit under Parts II to V of the Contributions and Benefits Act;

[^{F6}(aa) universal credit;]

[^{F7}(ab) state pension or a lump sum under Part 1 of the Pensions Act (Northern Ireland) 2015;]

- (b) a jobseeker's allowance;

[^{F8}(ba) an employment and support allowance;]

[^{F9}(baa) personal independence payment;]

[^{F10}(bb) state pension credit;]

- (c) income support;

Sub#paras. (d) and (e) rep. by 2002 c. 21

- (f) a social fund payment mentioned in section 134(1)(a) or (2) of the Contributions and Benefits Act;
- (g) child benefit;

Status: Point in time view as at 20/06/2016. This version of this provision has been superseded.

Changes to legislation: The Social Security (Northern Ireland) Order 1998, Section 9 is up to date with all changes known to be in force on or before 28 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)

(h) such other benefit as may be prescribed.

(4) In this Article “relevant statutory provision” means any statutory provision contained in this Chapter, the Contributions and Benefits Act, the Administration Act, the Social Security (Consequential Provisions) (Northern Ireland) Act 1992^[F11], the Jobseekers Order ^[F12], the State Pension Credit Act (Northern Ireland) 2002 ^[F13], Part 1 of the Welfare Reform Act (Northern Ireland) 2007 or Part 2 of the Welfare Reform (Northern Ireland) Order 2015^[F14] or Part 5 of that Order^[F15] or Part 1 of the Pensions Act (Northern Ireland) 2015] other than one contained in—

- (a) Part VII of the Contributions and Benefits Act so far as relating to housing benefit;
- (b) Part VIII of the Administration Act (arrangements for housing benefit).

^[F4](5) Paragraph (1)(c) does not include any decision which under Article 7 of the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999 falls to be made by an officer of the Inland Revenue.]

- F1 functions transf. by 1999 c. 10
- F2 mod. by SR 1999/349, 350
- F3 prosp. in pt. certain functions transf. by 2002 c. 21
- F4 SI 1999/671
- F5 1999 c. 30
- F6 Art. 9(3)(aa) 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. 36(a)**; S.R. 2016/215, art. 2(2)(c)(v)(gg)
- F7 Art. 9(3)(ab) 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. 29(a)**
- F8 Art. 9(3)(ba) inserted (1.7.2008 for certain purposes, otherwise 27.7.2008) by [Welfare Reform Act \(Northern Ireland\) 2007 \(c. 2\)](#), ss. 28(1), 60(1), **Sch. 3 para. 10(3)(a)**; S.R. 2008/276, **art. 2(2)(a)**
- F9 Art. 9(3)(baa) inserted (2.5.2016 for specified purposes, 20.6.2016 in so far as not already in operation) by [The Welfare Reform \(Northern Ireland\) Order 2015 \(S.I. 2015/2006\)](#), art. 2(2), **Sch. 9 para. 37(a)**; S.R. 2016/215, arts. 2(5)(h)(iv), 3(2)
- F10 2002 c. 14 (NI)
- F11 2002 c. 14 (NI)
- F12 Words in art. 9(4) substituted (1.7.2008 for certain purposes, otherwise 27.7.2008) by [Welfare Reform Act \(Northern Ireland\) 2007 \(c. 2\)](#), ss. 28(1), 60(1), **Sch. 3 para. 10(3)(b)**; S.R. 2008/276, **art. 2(2)(a)**
- F13 Words in art. 9(4) substituted (2.5.2016 for specified purposes) by [The Welfare Reform \(Northern Ireland\) Order 2015 \(S.I. 2015/2006\)](#), art. 2(2), **Sch. 2 para. 36(b)**; S.R. 2016/215, art. 2(2)(c)(v)(gg)
- F14 Words in art. 9(4) inserted (2.5.2016 for specified purposes, 20.6.2016 in so far as not already in operation) by [The Welfare Reform \(Northern Ireland\) Order 2015 \(S.I. 2015/2006\)](#), art. 2(2), **Sch. 9 para. 37(b)**; S.R. 2016/215, arts. 2(5)(h)(iv), 3(2)
- F15 Words in art. 9(4) 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. 29(b)**

Modifications etc. (not altering text)

- C1 Art. 9 applied (10.4.2006) by [S.I. 2006/1034](#), **reg. 2**

Status:

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