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STATUTORY INSTRUMENTS

1998 No. 1506 (N.I. 10)

The Social Security (Northern Ireland) Order 1998 ^{F1}

- - - - 24th June 1998

THE SOCIAL SECURITY (NORTHERN IRELAND) ORDER 1998

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— Tenure of office

Tenure of office

1. Subject to the following provisions of this paragraph, the President of appeal tribunals shall hold

Remuneration, etc.

2. The Department may pay, or make such payments towards the provision of, such remuneration, pensions
3. The Department may pay, or make such payments towards the provision of, such remuneration, pensions
- 3A Paragraph 2 and 3, so far as relating to pensions and allowances by way of
4. The Department may pay—
5. Subject to sub-paragraph (2), the Department may pay such other expenses in connection with the

Officers and staff

6. The Department may appoint such officers and staff as it thinks fit for the President

Functions of President

7. The President shall ensure that appropriate steps are taken by an appeal tribunal to secure
8. The President shall, after the requisite consultation, arrange such training for persons appointed to the

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9. The President shall supply the Department with such reports and other information with respect to
10. Each year the President shall make to the Department a written report, based on the

Clerks to appeal tribunals

11. The Department may by regulations provide—

Delegation of certain functions of appeal tribunals

12. The Department may by regulations provide—

Certificates

13. A document bearing a certificate which—

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— Jobseeker's allowance for persons under 18

Jobseeker's allowance for persons under 18

1. In relation to a person who has reached the age of 16 but not the

Christmas bonus

2. A decision whether a person is entitled to payment under section 144 of the Contributions

Priority between persons entitled to invalid care allowance

3. A decision as to the exercise of the discretion under section 70(7) of the Contributions

Priority between persons entitled to child benefit

4. A decision as to the exercise of the discretion under paragraph 5 of Schedule 10

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5. A decision whether to certify, in accordance with regulations made under section 64(1), 71(6), 113(1)

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- 5A. A decision terminating or reducing the amount of a person's benefit made in consequence of

Alteration of rates of benefit

6. A decision as to the amount of benefit to which a person is entitled, where

Increases in income support or income-based jobseeker's allowance due to attainment of particular ages

7. A decision as to the amount of benefit to which a person is entitled, where

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Reduction in accordance with reduced benefit [direction] decision

8. A decision to reduce the amount of a person's benefit in accordance with a reduced

Reduction on application of benefit cap

- 8A A decision to apply the benefit cap in accordance with regulations under Article 101 of

Power to prescribe other decisions

9. Such other decisions as may be prescribed.

SCHEDULE 3 — DECISIONS AGAINST WHICH AN APPEAL LIES
PART I — BENEFIT DECISIONS

Entitlement to benefit without a claim

1. In such cases or circumstances as may be prescribed, a decision whether a person is
2. If so, a decision as to the amount to which he is entitled.

Payability of benefit

3. A decision whether a relevant benefit (or a component of a relevant benefit) to which

Payments to third parties

4. Except in such cases or circumstances as may be prescribed, a decision whether the whole or

Recovery of benefits

5. A decision whether payment is recoverable under section 69 or 69A of the Administration Act.
6. If so, a decision as to the amount of payment recoverable.

Industrial injuries benefit

7. A decision whether an accident was an industrial accident for the purposes of industrial injuries

Jobseekers' agreements

8. A decision in relation to a jobseeker's agreement as proposed to be made under Article

State pension credit

- 8A A decision whether to specify a period as an assessed income period under section 6
- 8B If so, a decision as to the period to be so specified.
- 8C A decision whether an assessed income period comes to an end by virtue of section
- 8D If so, a decision as to when the assessed income period so ends.

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Power to prescribe other decisions

9. Such other decisions relating to a relevant benefit as may be prescribed.

PART II — CONTRIBUTIONS DECISIONS

Categorisation of earners

Para. 10 rep. by

Para. 11 rep. by

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Para. 12 rep. by

Para. 13 rep. by

Voluntary contributions

Para. 14 rep. by

Para. 15 rep. by

— Responsibilities at home

Responsibilities at home

16. A decision whether a person was (within the meaning of regulations) precluded from regular employment

Earnings and contributions credits

17. A decision whether a person is entitled to be credited with earnings or contributions in

Statutory sick pay

Para. 18 rep. by

Para. 19 rep. by

Statutory maternity pay

Para. 20 rep by

Liability of directors, etc. for company's contributions

Para. 22 rep. by

Preserved rights to benefit, etc.

Para. 23 rep. by

Employment of long-term unemployed

Para. 24 rep. by

Interest and penalties

Para. 25 rep. by

Para. 26 rep. by

Para. 27 rep. by

Para. 28 rep. by

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Power to prescribe other decisions

Para. 29 rep. by

SCHEDULE 4 — REGULATIONS AS TO PROCEDURE: PROVISION WHICH
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1. Provision prescribing the procedure to be followed in connection with—
2. Provision as to the striking out or reinstatement of proceedings.
3. Provision as to the form which is to be used for any document, the evidence
4. Provision as to the time within which, or the manner in which—
5. Provision for summoning persons to attend and give evidence or produce documents and for authorising
6. Provision with respect to the procedure to be followed on appeals to and in other
7. Provision for authorising an appeal tribunal consisting of two or more members to proceed with
8. Provision for empowering an appeal tribunal to give directions for the disposal of any purported
9. Provision for the non-disclosure to a person of the particulars of any medical advice or

SCHEDULE 5 — TRANSITORY PROVISIONS
— Constitution of appeal tribunals

Constitution of appeal tribunals

1. In relation to any time before the coming into operation of Article 8 so far

Claims no longer subsisting after decisions made

2. In relation to any time before the coming into operation of Article 9(2), section 19

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3. In relation to appeals brought after the coming into operation of Article 77 and any

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4. In relation to any time before the coming into operation of Article 15(7), section 21

Suspension of benefit in prescribed circumstances

5. In relation to any time before the coming into operation of Article 21(2)(d), section 5(1)

Restrictions on entitlement in certain cases of error

6. In relation to applications under section 24(1) or 28 of the Administration Act made after

Reviews of social fund determinations

7. In relation to any time before the coming into operation of Article 38, section 64

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Overpayments out of the social fund

8. In relation to any time before the coming into operation of Articles 10, 11 and

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9. In relation to appeals brought after the coming into operation of Article 77 and any

— Schedule 6—Amendments

— Schedule 7—Repeals

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