



Social Security Administration (Northern Ireland) Act 1992

CHAPTER 8

SOCIAL SECURITY ADMINISTRATION (NORTHERN IRELAND) ACT 1992

PART I

CLAIMS FOR AND PAYMENTS AND GENERAL ADMINISTRATION OF BENEFIT

Necessity of claim

- 1 Entitlement to benefit dependent on claim.
- 2 Retrospective effect of provisions making entitlement to benefit dependent on claim.

Work-focused interviews and work-related activity

- 2A Claim or full entitlement to certain benefits conditional on work-focused interview.
- 2AA Full entitlement to certain benefits conditional on work-focused interview for partner
- 2B Supplementary provisions relating to work-focused interviews.
- 2C Optional work-focused interviews.
- 2D Work-related activity
- 2E Action plans in connection with work-focused interviews
- 2F Directions about work-related activity
- 2G Contracting-out
- 2H Good cause for failure to comply with regulations

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Bereavement benefits

- 3 Late claims for bereavement benefit where death is difficult to establish.
- 4 Treatment of payments of benefit to certain widows.

Claims and payments regulations

- 5 Regulations about claims for and payments of benefit.

Sharing of functions as regards certain claims and information

- 5A Sharing of functions as regards certain claims and information.
- 5B Use of social security information

Industrial injuries benefit

- 6 Notification of accidents, etc.
- 7 Medical examination and treatment of claimants.
- 8 Obligations of claimants.

Disability working allowance

- 9 Initial claims and repeat claims.

The social fund

- 10 Necessity of application for certain payments.

Health in pregnancy grant

- 10A Necessity of application for health in pregnancy grant

Child benefit

- 11 Necessity of application for child benefit.
- 11A Election not to receive child benefit

Statutory sick pay

- 12 Duties of employees etc. in relation to statutory sick pay.

Statutory maternity pay

- 13 Duties of women etc. in relation to statutory maternity pay.

Payments in respect of mortgage interest, etc.

- 13A Payment out of benefit of sums in respect of mortgage interest, etc.

Emergency payments

- 14 Emergency payments by Health and Social Services Boards and other bodies.

PART II

ADJUDICATION

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Adjudication by the Department

- 15 Questions for the Department.
- 16 Appeal on question of law.
- 17 Review of decisions.

Adjudication by adjudication officers

- 18 Claims and questions to be submitted to adjudication officer.
- 19 Decision of adjudication officer.

Appeals from adjudication officers - general

- 20 Appeal to social security appeal tribunal.
- 21 Appeal from social security appeal tribunal to Commissioner.
- 22 Appeal from Commissioners on point of law.

Reviews - general

- 23 Review of decisions.
- 24 Procedure for reviews.
- 25 Reviews under s. 23 - supplementary.
- 26 Appeals following reviews or refusals to review.
- 27 Review after claimant appeals.

Attendance allowance, disability living allowance and disability working allowance

- 28 Reviews of decisions of adjudication officers.
- 29 Further reviews.
- 30 Reviews of decisions as to attendance allowance, disability living allowance or disability working allowance - supplementary.
- 31 Appeals following reviews.
- 32 Appeal from social security appeal tribunals or disability appeal tribunals to Commissioners and appeals from Commissioners.
- 33 Reviews of decisions on appeal.

Questions first arising on appeal

- 34 Questions first arising on appeal.

Reference of special questions

- 35 Reference of special questions.

Adjudication officers and the Chief Adjudication Officer

- 36 Adjudication officers.
- 37 The Chief Adjudication Officer.

Social security appeal tribunals

- 38 Panels for appointment to social security appeal tribunals.
- 39 Constitution of social security appeal tribunals.

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- 40 Panels for appointment to disability appeal tribunals.
- 41 Constitution of disability appeal tribunals.

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Adjudication in relation to industrial injuries and disablement benefit

- 42 Declaration that accident is an industrial accident.
- 43 Disablement questions.
- 44 Medical appeals and references.
- 45 Review of medical decisions.
- 46 Appeal etc. on question of law to Commissioner.

Adjudicating medical practitioners and medical appeal tribunals

- 47 Adjudicating medical practitioners.
- 48 Constitution of medical appeal tribunals.

The President and chairmen of tribunals

- 49 The President of social security appeal tribunals, medical appeal tribunals and disability appeal tribunals and chairmen.

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- 50 Appointment of Commissioners.

References to medical practitioners, the Disability Living Allowance Advisory Board etc.

- 51 Power of adjudicating authorities to refer matters to experts.
- 52 Claims relating to attendance allowance, disability living allowance and disability working allowance.
- 53 Medical examination etc. in relation to appeals to disability appeal tribunals.

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- 54 Assessors.
- 55 Tribunal of 2 or 3 Commissioners.

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- 55A Medical examinations of persons awarded attendance allowance or disability living allowance.

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- 56 Regulations as to determination of questions and matters arising out of, or pending, reviews and appeals.
- 57 Procedure.
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Incapacity for work

- 59A Adjudication: incapacity for work.

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- 60 Adjudication as to industrial diseases.

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62 Social fund officers.

63 The social fund Commissioner and inspectors.

64 Reviews.

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65 Determination of questions.

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66 Restrictions on entitlement to benefit in certain cases of error.

67 Determination of questions on review following erroneous decisions.

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68 Regulations as to correction of errors.

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69 Overpayments - general.

69ZA Overpayments out of the social fund.

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69A Recovery of jobseeker's allowance: severe hardship cases.

70 Special provision as to recovery of income support.

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71 Overlapping benefits - general.

72 Income support and other payments.

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73 Overpayments of housing benefit.

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74 Recovery of social fund awards.

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75 Recovery of Great Britain payments.

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76 Child benefit - overlap with benefits under legislation of other member States.

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77 Interpretation of Part IV.

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78 Recovery of sums equivalent to benefit from compensation payments in respect of accidents, injuries and diseases.

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79 Time for making payment to Department.

80 The certificate of total benefit.

81 Exemption from deduction in cases involving small payments.

82 Multiple compensation payments.

83 Collaboration between compensators.

84 Structured settlements.

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86 Protection of legal aid charges.

87 Overpaid benefits.

88 Death.

89 Payments into court.

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90 Provision of information.

91 Applications for certificates of total benefit.

92 Liability of compensator unenforceable if certificate not issued within time limit.

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96 Recovery of relevant payment in cases of default.

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97 Foreign compensators: duties of intended recipient.

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101 Recovery of expenditure on benefit from person liable for maintenance.

102 Recovery of expenditure on income support: additional amounts and transfer of orders.

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- 104 Appointment and powers of inspectors.
- 104ZA Class 1, 1A, 1B or 2 contributions: powers to call for documents etc
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- 104AA Power of Housing Executive to require electronic access to information
- 104B Powers of inspectors appointed under section 104A.
- 105 Delay, obstruction etc. of inspector.
- 105A Dishonest representations for obtaining benefit etc.
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- 107 Breach of regulations.
- 107A Statutory sick pay and statutory maternity pay: breach of regulations
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- 108 Offences relating to contributions.
- 108A Penalties relating to contributions.
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- 109B Penalty as alternative to prosecution: colluding employers, etc.

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- 111A Issues arising in proceedings: contributions, etc.

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- 112 Evidence of non-payment.
- 113 Recovery of unpaid contributions on prosecution.
- 114 Proof of previous offences.
- 115 Unpaid contributions - supplementary.
- 115A Recovery of contributions, etc.
- 115B Liability of directors, etc. for company's contributions.
- 115C Appeals in relation to personal liability notices.
- 115CA Interpretation of Part VI

PART VII

INFORMATION

*Information relating to, or required for purposes of,
contributions, statutory sick pay or statutory maternity pay*

- 115D Supply of contributions, etc. information held by Inland Revenue.
- 115E Supply to Inland Revenue for purposes of contributions, etc. of information held by Department or Secretary of State.

Information held by tax authorities

- 116 Supply of information held by tax authorities for fraud prevention and verification.

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- 116ZA Supply of tax information to assess certain employment or training schemes
- 116AA Disclosure of contributions, etc. information by Her Majesty's Revenue and Customs .
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Other government information

- 116B Supply of other government information for fraud prevention and verification.

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- 116C Supply of information to the Housing Executive.
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- 117 Unauthorised disclosure of information relating to particular persons.

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- 118 Regulations as to notification of deaths.

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- 119 Personal representatives to give information about the estate of a deceased person who was in receipt of income support or supplementary benefit.

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- 119A Power to require information from landlords and agents.

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- 120 Information for purposes of housing benefit.

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- 121 Disclosure by the Department for purpose of determination of period of entitlement to statutory sick pay.
- 122 Duties of employers - statutory sick pay and claims for other benefits.

Statutory maternity pay and other benefits

- 123 Disclosure by the Department for purpose of determination of period of entitlement to statutory maternity pay.
- 124 Duties of employers - statutory maternity pay and claims for other benefits.

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- 130A Revaluation of low earnings threshold
- 130AA Revaluation of flat rate accrual amount
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- 132 Annual up-rating of benefits.
- 132A Annual up-rating of basic pension etc. and standard minimum guarantee
- 133 Rectification of mistakes in up-rating orders.
- 134 Social security benefits in respect of children.

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- 137 Effect of alteration of rates of child benefit.
- 138 Treatment of excess benefit as paid on account of child benefit.
- 139 Effect of alteration in the component rates of income support.
- 139A Effect of alteration of rates of a jobseeker's allowance.
- 139B Effect of alterations affecting state pension credit
- 139C Effect of alteration of rates of an employment and support allowance

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- 140 Implementation of increases in income support due to attainment of particular ages.
- 140A Implementation of increases in income-based jobseeker's allowance due to attainment of particular ages.
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- 143 General financial arrangements.
- 144 Destination of repayments, etc.
- 145 Adjustments between National Insurance Fund and Consolidated Fund.
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- 149 Functions of Social Security Advisory Committee in relation to legislation and regulations.
- 150 Cases in which consultation with Committee is not required.
- 151 Committee's report on regulations and Department's duties.

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- 152 The Disability Living Allowance Advisory Board.

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- 154 Reciprocal arrangements with Great Britain - income-related benefits and child benefit.
- 155 Reciprocal agreements with countries outside the United Kingdom.
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- 156 Payment of travelling expenses by Department.
- 156A Payment of travelling expenses by the Commissioners of Inland Revenue

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Offences

- 157 Impersonation of officers.
- 158 Illegal possession of documents.

Redirection of post

- 158A Return of social security post.
- 158B Requirement to supply information about redirection of post.

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- 158C Requirement to apply for national insurance number.

Industrial injuries and diseases

- 159 Research on industrial injuries, etc.
- 160 Control of pneumoconiosis.

Workmen's compensation, etc.

- 161 Administration of workmen's compensation etc.

Supplementary benefit etc.

- 162 Application of provisions of Act to supplementary benefit, etc.

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- 164 Exemption from stamp duty.

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- 165 Regulations and orders - general.
- 166 Assembly, etc. control of orders and regulations.

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- 167 Interpretation.
- 168 Short title, commencement and extent.

Social Security Administration (Northern Ireland) Act 1992 SCHEDULE 1 — CLAIMS FOR BENEFIT MADE OR TREATED BEFORE 1ST OCTOBER 1990

*Claims made or treated as made on or after 2nd
September 1985 and before 19th November 1986*

- 1 Section 1 above shall have effect in relation to a...

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Claims made or treated as made on or after 19th November 1986 and before 6th April 1987

2 Section 1 above shall have effect in relation to a...

Claims made or treated as made on or after 6th April 1987 and before 23rd August 1989

3 Section 1 above shall have effect in relation to a...

Claims made or treated as made on or after 23rd August 1989 and before 14th August 1990

4 Section 1 above shall have effect in relation to a...

Claims made or treated as made on or after 14th August 1990 and before 1st October 1990

5 Section 1 above shall have effect in relation to a...

SCHEDULE 2 — COMMISSIONERS – SUPPLEMENTARY PROVISIONS

Tenure of offices

1 (1) Subject to the following provisions of this paragraph, the...
2 Part-time chairmen of such tribunals shall hold and vacate office...

Remuneration etc. for President and chairmen

3 [(1)]The Department may pay, or make such payments towards...

Officers and staff

4 The President may appoint such officers and staff as he...

Clerks to social security appeal tribunals and disability appeal tribunals

5 (1) The President shall assign a clerk to service the...

Miscellaneous administrative duties of President

6 It shall be the duty of the President—

Remuneration etc.

7 The Lord Chancellor shall pay to a Commissioner such salary...
8 (1) The Department may pay— (a) to any person specified...

Certificates of decisions

9 A document bearing a certificate which— (a) is signed by...

SCHEDULE 3 — REGULATIONS AS TO PROCEDURE

Interpretation

1 In this Schedule “ competent tribunal ” means—

Provision which may be made

2 Provision prescribing the procedure to be followed in connection with...
3 Provision as to the striking out of proceedings for want...
4 Provision as to the form which is to be used...

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- 5 Provision as to the time to be allowed—
- 6 Provision as to the manner in which, and the time...
- 7 Provision for summoning persons to attend and give evidence or...
- 8 Provision for authorising a competent tribunal consisting of two or...
- 9 Provision for giving the chairman of a competent tribunal consisting...
- 10 Provision empowering the chairman of a social security appeal tribunal,...
- 11 Provision for the non-disclosure to a person of the particulars...
- 12 Provision for requiring or authorising the Department to hold, or...

SCHEDULE 3A — Health in pregnancy grant: Civil penalty for fraud, etc.

Penalty

- 1 (1) This paragraph applies where a person fraudulently or negligently —...

Appeal

- 2 (1) A person on whom a penalty is imposed under...

Mitigation

- 3 The Commissioners for Her Majesty's Revenue and Customs may mitigate...

Time limit

- 4 (1) The Commissioners for Her Majesty's Revenue and Customs may...

Recovery

- 5 A penalty payable under this Schedule is to be treated...

SCHEDULE 4 — PERSONS EMPLOYED IN SOCIAL SECURITY ADMINISTRATION OR ADJUDICATION

Part I — THE SPECIFIED PERSONS

Government departments

A civil servant in— (a) the Department; (b) the Department...

...

...

The Housing Executive etc.

A member, officer or employee of the Housing Executive.
A person authorised to exercise any function of the Housing...
A person authorised under section 128A(1) of this Act to...

Adjudication officers

The Chief Adjudication Officer.
An adjudication officer.

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Adjudicating bodies

The clerk to, or other officer or member of the...

The Disability Living Allowance Advisory Board for Northern Ireland

A member of the Disability Living Allowance Advisory Board for...
An officer or servant of that Board.

...

...
...
...

The social fund

The social fund Commissioner.
A social fund officer.
A social fund inspector.
A member of any staff employed in connection with the...

Former statutory bodies

An officer or other member of the staff of— (a)...
A benefit officer.
An insurance officer.
A supplement officer.
A Chief Adjudication Officer.
An adjudication officer.
A social fund officer.
A clerk to, or other officer or member of the...

Part II — CONSTRUCTION OF REFERENCES TO GOVERNMENT
DEPARTMENTS ETC.

- 1 (1) The reference in Part I of this Schedule to...
- 2 The reference in Part I of this Schedule to the...
- 3 The reference in Part I of this Schedule to the...
- 4

SCHEDULE 5 — REGULATIONS NOT REQUIRING PRIOR SUBMISSION TO
SOCIAL SECURITY ADVISORY COMMITTEE

Disability living allowance

- 1 Regulations under section 72(3) or 73(10) of the Contributions and...

Industrial injuries

- 2 Regulations relating only to industrial injuries benefit.

Up-rating, etc.

- 3 Regulations which state that they contain only provisions in consequence...

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Earnings limits

- 4 Regulations which state that they only contain regulations to make...

Married women and widows—reduced rate contributions

- 5

Child benefit

- 6 Regulations prescribing the rate or any of the rates of...
7 Regulations varying social security benefits following an increase of the...

Statutory maternity pay and statutory sick pay

- 8 Regulations under section 154 or 163 of the Contributions and...

Consolidation, etc.

- 9 Regulations made for the purpose only of consolidating other regulations...
10 Regulations making only provision corresponding to provision contained in regulations...

SCHEDULE 5A — Regulations not requiring prior submission to Industrial Injuries Advisory Council

- 1 Regulations under section 120(1)(b) of the Contributions and Benefits Act...
2 Regulations which state that they contain only provisions in consequence...
3 Regulations made within a period of 6 months from the...
4 Regulations which state that they contain only regulations making with...
5 Regulations which state that the only provision with respect to...
6 Regulations made for the purpose only of consolidating other regulations...
7 Regulations making only provision corresponding to provision contained in regulations...

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...

Adjustment of benefit in certain cases

- 2 (1) Regulations under paragraph 2 of Schedule 8 to the...

Overpayments

- 3 Regulations under paragraph 2 of Schedule 8 to the Contributions...

SCHEDULE 7 — SUPPLEMENTARY BENEFITS, ETC.

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Claims and payments

- 1 (1) Section 5 above shall have effect in relation to...

Adjudication

- 2 (1) Articles 9 to 18, 29 to 31 and 39...

Overpayments etc.

- 3 (1) Section 69 above shall have effect in relation to...

Inspection

- 4 Part VI of this Act shall have effect as if...

Legal proceedings

- 5 Section 110 above shall have effect as if any reference...

— TABLE OF DERIVATIONS

Note:

1. Abbreviations used in this Table are the same as...
2. The Table does not acknowledge the general changes made...
3. The Table does not contain any entries in respect...
4. The Table does not contain any entries for Transfer...

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