



# Social Security Administration (Northern Ireland) Act 1992

## 1992 CHAPTER 8

### PART XIV

#### MISCELLANEOUS

#### *Travelling expenses*

#### **156 Payment of travelling expenses by Department.**

The Department may pay such travelling expenses as, with the consent of the Department of Finance and Personnel, the Department may determine—

- (a) to persons required by the Department to attend any interview in connection with the operation of the Contributions and Benefits Act [<sup>F1</sup>, the Jobseekers (Northern Ireland) Order 1995][<sup>F2</sup>, the Social Security (Recovery of Benefits) (Northern Ireland) Order 1997][<sup>F3</sup>, Chapter II of Part II of the Social Security (Northern Ireland) Order 1998 ][<sup>F4</sup>, the State Pension Credit Act (Northern Ireland) 2002] or this Act;
- (b) to persons attending social security offices of the Department in connection with the operation—
  - (i) of the Contributions and Benefits Act [, the Jobseekers (Northern Ireland) Order 1995][<sup>F2</sup>, the Social Security (Recovery of Benefits) (Northern Ireland) Order 1997][<sup>F5</sup>, Chapter II of Part II of the Social Security (Northern Ireland) Order 1998 ][<sup>F6</sup>, the State Pension Credit Act (Northern Ireland) 2002] or this Act; or
  - (ii) of any prescribed statutory provision.

#### **Textual Amendments**

- F1** Words in s. 156 inserted (17.7.1996) by [S.I. 1995/2705 \(N.I. 15\)](#), art. Sch. 2, para. 49; [S.R. 1996/285](#), art. 2, [Sch.](#)

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- F2** Words in s. 156 inserted (6.10.1997) by S.I. 1997/1183 (N.I. 12), art. 31(1), **Sch. 3**, para. 8; S.R. 1997/400, **art. 2**
- F3** Words in s. 156(a) substituted (5.7.1999, 6.9.1999, 5.10.1999, 18.10.1999 and 29.11.1999 for different purposes, otherwise prosp.) by S.I. 1998/1506 (N.I. 10), arts. 1(2), 78(1), **Sch. 6 para. 85(a)**; S.R. 1999/310, art. 2(1)(b), **Sch. 1** (with arts. 4, 14); S.R. 1999/371, art. 2(b), **Sch. 1** (with arts. 4, 18); S.R. 1999/407, art. 2(b), **Sch.** (with art. 4); S.R. 1999/428, art. 2(b), **Sch. 1** (with arts. 4, 16) and S.R. 1999/472, art. 2(1), **Sch. 1** (with arts. 20-22) (subject to art. 2(2) of the said S.R. 1999/472)
- F4** Words in s. 156(a) inserted (2.12.2002 for certain purposes, otherwise prosp.) by State Pension Credit Act (Northern Ireland) 2002 (c. 14), ss. 14, 21(2), **Sch. 2 Pt. 2 para. 20(a)**; S.R. 2002/366, **art. 2(I)**
- F5** Words in s. 156(b)(i) substituted (5.7.1999, 6.9.1999, 5.10.1999, 18.10.1999 and 29.11.1999 for different purposes, otherwise prosp.) by S.I. 1998/1506 (N.I. 10), arts. 1(2), 78(1), **Sch. 6 para. 85(b)**; S.R. 1999/310, art. 2(1)(b), **Sch. 1** (with arts. 4, 14); S.R. 1999/371, art. 2(b), **Sch. 1** (with arts. 4, 18); S.R. 1999/407, art. 2(b), **Sch.** (with art. 4); S.R. 1999/428, art. 2(b), **Sch. 1** (with arts. 4, 16) and S.R. 1999/472, art. 2(1), **Sch. 1** (with arts. 20-22) (subject to art. 2(2) of the said S.R. 1999/472)
- F6** Words in s. 156(b)(i) inserted (2.12.2002 for certain purposes, otherwise prosp.) by State Pension Credit Act (Northern Ireland) 2002 (c. 14), ss. 14, 21(2), **Sch. 2 Pt. 2 para. 20(b)**; S.R. 2002/366, **art. 2(I)**

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

- C1** S. 156 applied (with modifications) (7.2.1994) by 1993 c. 49, **s. 163(2)**; S.R. 1994/17, **art. 2**

**[<sup>F7</sup>156A Payment of travelling expenses by the Commissioners of Inland Revenue**

The Inland Revenue may pay such travelling expenses as they may determine—

- (a) to persons required by them to attend any interview in connection with the operation of the Contributions and Benefits Act, this Act, or Part III of the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999;.
- (b) to persons attending local offices in connection with the operation of the Contributions and Benefits Act, this Act, or Part III of the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999.]

**Textual Amendments**

- F7** S. 156A inserted (1.4.1999) by S.I. 1999/671, art. 17, **Sch. 6 para. 11** (subject to transitional provisions in **Sch. 7**); S.R. 1999/149, art. 2(c), **Sch. 2** (subject to arts. 3-6 of the said S.R.)

*Offences*

**157 Impersonation of officers.**

If any person, with intent to deceive, falsely represents himself to be a person authorised by the Department to act in any capacity (whether under this Act or otherwise) he shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale.

**158 Illegal possession of documents.**

- (1) If any person—
  - (a) as a pledge or a security for a debt; or

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- (b) with a view to obtaining payment from the person entitled to it of a debt due either to himself or to any other person, receives, detains or has in his possession any document issued by or on behalf of the Department in connection with any benefit, pension or allowance (whether payable under the Contributions and Benefits Act or otherwise) he shall be guilty of an offence.
- (2) If any such person has such a document in his possession without lawful authority or excuse (the proof whereof shall lie on him) he shall be guilty of an offence.
- (3) A person guilty of an offence under this section shall be liable on summary conviction to imprisonment for a term not exceeding 3 months or to a fine not exceeding level 4 on the standard scale or to both.

*[<sup>F8</sup> Redirection of post]*

#### Textual Amendments

**F8** S. 158A and the preceding *cross-heading* inserted (5.4.1999) by 1997 c. 47, s. 20(2); S.I. 1999/1046, art. 2

#### **[158A Return of social security post.**

- (1) A social security authority may require [<sup>F9</sup>a postal operator (within the meaning of the Postal Services Act 2000)] to return to the sender social security post sent by or on behalf of the authority which would otherwise be redirected.
- (2) A social security authority shall make payments of such amount as the Department considers reasonable in respect of the return of social security post in compliance with a requirement imposed by the authority under subsection (1) above.
- (3) In subsections (1) and (2) above “social security authority” means—
- the Department;
  - the Housing Executive;
  - the Secretary of State; or
  - any local or other authority administering housing benefit or council tax benefit (other than the Housing Executive).
- (4) In subsections (1) and (2) above “social security post” means postal packets—
- the contents of which relate to any benefit, contributions or national insurance number or to any other matter relating to social security; and
  - which are marked, in a manner approved by the [<sup>F10</sup>postal operator concerned], with the name and address of the sender and with an indication that they are to be returned rather than redirected.
- (5) In this section—
- “redirected”, in relation to any postal packet, means delivered to an address other than that indicated by the sender on the packet; and
  - “postal packet” has the same meaning as in the [<sup>F11</sup>Postal Services Act 2000].
- (6) Any requirement imposed under subsection (1) above has effect subject to any order under—

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- (a) Article 342 of the <sup>M1</sup>Insolvency (Northern Ireland) Order 1989 or section 371 of the <sup>M2</sup>Insolvency Act 1986 (redirection of bankrupt's letters to trustee in bankruptcy);
- (b) paragraph 15 of Schedule 1 to the <sup>M3</sup>Solicitors (Northern Ireland) Order 1976 or paragraph 10 of Schedule 1 to the <sup>M4</sup>Solicitors Act 1974 (redirection of letters following intervention by Law Society); or
- (c) paragraph 10 of Schedule 5 to the <sup>M5</sup>Administration of Justice Act 1985 (redirection of letters following intervention by Council for Licensed Conveyancers).]

#### Textual Amendments

- F9** Words in s. 158A(1) substituted (26.3.2001) by S.I. 2001/1149, art. 3(1), **Sch. para. 94(2)(a)**
- F10** Words in s. 158A(4)(b) substituted (26.3.2001) by S.I. 2001/1149, art. 3(1), **Sch. para. 94(2)(b)**
- F11** Words in s. 158A(5)(b) substituted (26.3.2001) by S.I. 2001/1149, art. 3(1), **Sch. para. 94(2)(c)**

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

- C2** S. 158A restricted (5.10.1999) by 1999 c. 10, ss. 2(3), 20(2), **Sch. 2 Pt. IV para. 16**

#### Marginal Citations

- M1** S.I. 1989/2405 (N.I.19).
- M2** 1986 c. 45.
- M3** S.I. 1976/582 (N.I.12).
- M4** 1974 c. 47.
- M5** 1985 c. 61.

### [<sup>F12</sup>158B Requirement to supply information about redirection of post.

- (1) The Department or the Secretary of State may require [<sup>F13</sup>a postal operator]] to supply information relating to arrangements for the redirection of postal packets to, or to a person supplying services to, the Department or the Secretary of State—
  - (a) for use in the prevention, detection, investigation or prosecution of offences relating to social security; or
  - (b) for use in checking the accuracy of information relating to benefits, contributions or national insurance numbers or to any other matter relating to social security and (where appropriate) amending or supplementing such information.
- (2) The Housing Executive or any other local or other authority administering housing benefit or council tax benefit may require [<sup>F13</sup>a postal operator] to supply information relating to arrangements for the redirection of postal packets to the authority or a person authorised to exercise any function of the authority relating to housing benefit or council tax benefit—
  - (a) for use in the prevention, detection, investigation or prosecution of offences relating to such a benefit; or
  - (b) for use in checking the accuracy of information relating to such a benefit and (where appropriate) amending or supplementing such information.
- (3) Information shall be supplied under subsection (1) or (2) above in such manner and form, and in accordance with such requirements, as may be prescribed.

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- (4) Payments of such amount as the Department considers reasonable shall be made by a person or authority imposing a requirement under subsection (1) or (2) above in respect of the supply of information in compliance with the requirement.
- (5) Information supplied under subsection (1) or (2) above shall not be supplied by the recipient to any other person or body unless—
- (a) it could be supplied to that person or body under either of those subsections; or
  - (b) it is supplied for the purposes of any civil or criminal proceedings relating to the Contributions and Benefits Act, the <sup>M6</sup>Jobseekers (Northern Ireland) Order 1995 or this Act or to any enactment applying in Great Britain corresponding to any of them.
- (6) But where information supplied under subsection (1) or (2) above has been used (in accordance with paragraph (b) of the subsection concerned) in amending or supplementing other information, it is lawful for it to be—
- (a) supplied to any person or body to whom that other information could be supplied; or
  - (b) used for any purpose for which that other information could be used.
- (7) In subsections (1) and (2) above “arrangements for the redirection of postal packets” means arrangements made with the [<sup>F13</sup>postal operator concerned] for the delivery of postal packets to addresses other than those indicated by senders on the packets.
- (8) In this section [<sup>F14</sup>
- “postal operator” has the same meaning as in the Postal Services Act 2000;]
  - “postal packet” has the same meaning as in [<sup>F15</sup>that Act].

#### Textual Amendments

- F12** S. 158B inserted (5.4.1999) by 1997 c. 47, s. 21(2); S.I. 1999/1046, art. 2
- F13** Words in s. 158B(1)(2)(7) substituted (26.3.2001) by S.I. 2001/1149, art. 3(1), Sch. para. 94(3)
- F14** Words in 158B(8) inserted (26.3.2001) by S.I. 2001/1149, art. 3(1), Sch. para. 94(3)(d)
- F15** Words in s. 158B(8) substituted (26.3.2001) by S.I. 2001/1149, art. 3(1), Sch. para. 94(3)(d)

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

- C3** S. 158B restricted (5.10.1999) by 1999 c. 10, ss. 2(3), 20(2), Sch. 2 Pt. IV para. 16
- S. 158B: functions modified (*prosp.*) by S.I. 1999/3147 (N.I. 11), arts. 1(2), 67, Sch. 8 para. 32 (with art. 75)

#### Marginal Citations

- M6** S.I. 1995/2705 (N.I.15).

[<sup>F16</sup>National insurance numbers]

#### Textual Amendments

- F16** S. 158C and preceding cross-heading inserted (1.7.1997) by S.I. 1997/1182 (N.I. 11), s. 19(1), Sch. 1 para. 6(1); S.R. 1997/316, art. 2

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**[<sup>F17</sup>158C Requirement to apply for national insurance number.**

- (1) Regulations may make provision person to apply for a national insurance number to be allocated to him.

<sup>F18</sup> [ Regulations under subsection (1) above may require the application to be made to the (1A) Department or to the Inland Revenue.]

- (2) An application required by regulations under subsection (1) above shall be accompanied by information or evidence enabling such a number to be allocated.]

**Textual Amendments**

**F17** S. 158C and preceding cross-heading inserted (1.7.1997) by S.I. 1997/1182 (N.I. 11), art. 19(1), **Sch. 1 para. 6**; S.R. 1997/316, **art. 2**

**F18** S. 158C(1A) inserted (24.3.1999 for certain purposes, otherwise 1.4.1999) by S.I. 1999/671, arts. 1(2), 3(1), **Sch. 1 para. 34** (subject to transitional provisions in **Sch. 7**); S.R. 1999/149, art. 2(c), **Sch. 2** (subject to arts. 3-6 of the said S.R.)

*Industrial injuries and diseases*

**159 Research on industrial injuries, etc.**

- (1) The Department may promote research into the causes and incidence of accidents arising out of and in the course of employment, or injuries and diseases which—
- (a) are due to the nature of employment; or
  - (b) it is contemplated might be prescribed for the purposes of sections 108 to 110 of the Contributions and Benefits Act,
- either by itself employing persons to conduct such research or by contributing to the expenses of, or otherwise assisting, other persons engaged in such research.
- (2) The Department may pay to persons so employed by it such salaries or remuneration, and such travelling and other allowances, as it may determine with the consent of the Department of Finance and Personnel.

**160 Control of pneumoconiosis.**

- (1) As respects pneumoconiosis, regulations may provide—
- (a) for requiring persons to be medically examined before, or within a prescribed period after, becoming employed in any occupation in relation to which pneumoconiosis is prescribed, and to be medically examined periodically while so employed, and to furnish information required for the purposes of any such examination;
  - (b) for suspending from employment in any such occupation, and in such other occupations as may be prescribed, persons found on such an examination—
    - (i) to be suffering from pneumoconiosis or tuberculosis, or
    - (ii) to be unsuitable for such employment, having regard to the risk of pneumoconiosis and such other matters affecting their susceptibility to pneumoconiosis as may be prescribed;
  - (c) for the disqualification for the receipt of benefit as defined in section 121 of the Contributions and Benefits Act in respect of pneumoconiosis of any person

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who fails without good cause to submit himself to any such examination or to furnish information required by the regulations or who engages in any employment from which he has been suspended as mentioned in paragraph (b) above;

- (d) for requiring employers—
  - (i) to provide facilities for such examinations,
  - (ii) not to employ in any occupation a person who has been suspended as mentioned in paragraph (b) above from employment in that occupation or who has failed without good cause to submit himself to such an examination,
  - (iii) to give to such officer as may be prescribed the prescribed notice of the commencement of any prescribed industry or process;
- (e) for the recovery on summary conviction of monetary penalties in respect of any contravention of or failure to comply with any such requirement as is mentioned in paragraph (d) above, but those penalties shall not exceed £5 for every day on which the contravention or failure occurs or continues;
- (f) for such matters as appear to the Department to be incidental to or consequential on provisions included in the regulations by virtue of paragraphs (a) to (d) above or section 110(1) of the Contributions and Benefits Act.

*Workmen's compensation, etc.*

## **161 Administration of workmen's compensation etc.**

- (1) Schedule 6 to this Act shall have effect in relation to regulations under paragraphs 2 and 4 of Schedule 8 to the Contributions and Benefits Act.
- (2) Regulations may provide for applying in relation to payments under Part II of that Schedule 8 the provisions of this Act relating to the making of claims and the determination of claims and questions in so far as those provisions apply in relation to—
  - (a) an unemployability supplement;
  - (b) an increase of a disablement pension in respect of a child or adult dependant;  
or
  - (c) an increase of a disablement pension in respect of the need for constant attendance or exceptionally severe disablement,(as the case may be) subject to any additions or modifications.

*Supplementary benefit etc.*

## **162 Application of provisions of Act to supplementary benefit, etc.**

Schedule 7 to this Act shall have effect for the purposes of making provision in relation to the benefits there mentioned.



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### Miscellaneous

#### 163 Certain benefit to be inalienable.

- (1) Subject to the provisions of this Act, every assignment of, or charge on—
- (a) benefit as defined in section 121 of the Contributions and Benefits Act;
  - <sup>F19</sup>(aa) a jobseeker's allowance;
  - [ state pension credit;]]
  - <sup>F20</sup>(ab)
  - (b) any income-related benefit; or
  - (c) child benefit,
- and every agreement to assign or charge such benefit shall be void; and, on the bankruptcy of a beneficiary, such benefit shall not pass to any trustee or other person acting on behalf of his creditors.
- (2) In calculating for the purposes of Article 30, 73(5)(b), 99(6)(b) or 107 of the <sup>M7</sup>Judgments Enforcement (Northern Ireland) Order 1981 or Article 101(5)(b) of the <sup>M8</sup>Magistrates' Courts (Northern Ireland) Order 1981 the means of any beneficiary, no account shall be taken of any increase of disablement benefit in respect of a child, or of industrial death benefit.

#### Textual Amendments

**F19** S. 163(1)(aa) inserted (17.7.1996) by S.I. 1995/2705, art. Sch. 2, para. 50; S.R. 1996/285, art. 2, Sch.

**F20** S. 163(1)(ab) inserted (2.12.2002 for certain purposes, otherwise prosp.) by State Pension Credit Act (Northern Ireland) 2002 (c. 14), ss. 14, 21(2), Sch. 2 Pt. 2 para. 21; S.R. 2002/366, art. 2(I)

#### Marginal Citations

**M7** S.I. 1981/226 (N.I. 6).

**M8** S.I. 1981/1675 (N.I. 26).

#### 164 Exemption from stamp duty.

- (1) Stamp duty shall not be chargeable on any document to which this subsection applies.
- (2) Subsection (1) above applies to any document authorised by virtue—
- (a) of Parts I to VI of the Contributions and Benefits Act; or
  - (b) of any provision of this Act so far as it operates in relation to matters to which those Parts relate,
- or otherwise required in order to give effect to those Parts or to any such provision so far as it so operates or in connection with any description of business thereunder.
- (3) Stamp duty shall not be chargeable upon such documents used in connection with business under paragraphs 2 and 3 of Schedule 8 to the Contributions and Benefits Act and paragraph 1 of Schedule 6 to this Act as may be specified in regulations made under paragraph 2 of Schedule 8 to that Act.



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