

Status: Point in time view as at 01/07/1992.

Changes to legislation: Social Security Administration (Northern Ireland) Act 1992, SCHEDULE 2 is up to date with all changes known to be in force on or before 07 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)

SCHEDULES

SCHEDULE 2 **N.I.**

Sections 39, 41 and 48 to 50.

COMMISSIONERS, TRIBUNALS, ETC.—SUPPLEMENTARY PROVISIONS

Tenure of offices

- 1 (1) Subject to the following provisions of this paragraph, the President and the full-time chairmen of social security appeal tribunals, medical appeal tribunals and disability appeal tribunals shall hold and vacate office in accordance with the terms of their appointment.
 - (2) Commissioners, the President and the full-time chairmen shall vacate their offices at the end of the completed year of service in which they attain the age of 72.
 - (3) Where the Lord Chancellor considers it desirable in the public interest to retain a Commissioner, the President or a full-time chairman in office after the time at which he would be required by sub-paragraph (2) above to vacate it, the Lord Chancellor may from time to time authorise his continuance in office until any date not later than that on which he attains the age of 75.
 - (4) A Commissioner, the President and a full-time chairman may be removed from office by the Lord Chancellor on the ground of misbehaviour or incapacity.
 - (5) Neither the President nor any full-time chairman shall either directly or indirectly practise as a barrister or solicitor or as an agent for a solicitor.
 - (6) Nothing in sub-paragraph (2) or (3) above or in paragraphs 6 to 7A of Schedule 10 to the 1975 Act (which relate to pensions for Commissioners) shall apply to a person by virtue of his appointment in pursuance of section 50(2) above.
- 2 Part-time chairmen of such tribunals shall hold and vacate office in accordance with the terms of their appointment.

Remuneration etc. for President and chairmen

- 3 The Department may pay, or make such payments towards the provision of, such remuneration, pensions, allowances or gratuities to or in respect of the President and full-time chairmen as, with the consent of the Department of Finance and Personnel, it may determine.

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Officers and staff

- 4 The President may appoint such officers and staff as he thinks fit—
- (a) for himself;
 - (b) for the full-time chairmen;
 - (c) for social security appeal tribunals;
 - (d) for disability appeal tribunals; and
 - (e) for medical appeal tribunals,
- with the consent of the Department and the Department of Finance and Personnel as to numbers and as to remuneration and other terms and conditions of service.

Clerks to social security appeal tribunals and disability appeal tribunals

- 5 (1) The President shall assign a clerk to service the social security appeal tribunal for each area and the disability appeal tribunal for each area.
- (2) The duty of summoning members of a panel to serve on such a tribunal shall be performed by the clerk to the tribunal.

Miscellaneous administrative duties of President

- 6 It shall be the duty of the President—
- (a) to arrange—
 - (i) such meetings of chairmen and members of social security appeal tribunals, chairmen and members of disability appeal tribunals and chairmen and members of medical appeal tribunals;
 - (ii) such training for such chairmen and members,
 as he considers appropriate; and
 - (b) to secure that such works of reference relating to social security law as he considers appropriate are available for the use of chairmen and members of social security appeal tribunals, disability appeal tribunals and medical appeal tribunals.

Remuneration etc.

- 7 The Lord Chancellor shall pay to a Commissioner such salary or other remuneration, and such expenses incurred in connection with the work of a Commissioner or any tribunal presided over by a Commissioner, as may be determined by the Treasury.
- 8 (1) The Department may pay—
- (a) to any person specified in sub-paragraph (2) below, such remuneration and such travelling and other allowances;
 - (b) to any person specified in sub-paragraph (3) below, such travelling and other allowances;

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- (c) subject to sub-paragraph (4) below, such other expenses in connection with the work of any person, tribunal or inquiry appointed or constituted under any provision of this Act,
as the Department with the consent of the Department of Finance and Personnel may determine.
- (2) The persons mentioned in sub-paragraph (1)(a) above are—
- (a) any person (other than a Commissioner) appointed under this Act to determine questions or as a member of, or assessor to, a social security appeal tribunal, a disability appeal tribunal or a medical appeal tribunal; and
 - (b) a medical officer appointed under regulations under section 60 above.
- (3) The persons mentioned in sub-paragraph (1)(b) are—
- (a) any person required to attend at any proceedings or inquiry under this Act; and
 - (b) any person required under this Act (whether for the purposes of this Act or otherwise) to attend for or to submit themselves to medical or other examination or treatment.
- (4) Expenses are not payable under sub-paragraph (1)(c) above in connection with the work—
- (a) of a tribunal presided over by a Commissioner; or
 - (b) of a social fund officer, a social fund inspector or the social fund Commissioner.
- (5) In this paragraph references to travelling and other allowances include references to compensation for loss of remunerative time but such compensation shall not be paid to any person in respect of any time during which he is in receipt of remuneration under this paragraph.

Certificates of decisions

- 9 A document bearing a certificate which—
- (a) is signed by a person authorised in that behalf by the Department; and
 - (b) states that the document, apart from the certificate, is a record of a decision—
 - (i) of a Commissioner;
 - (ii) of a social security appeal tribunal;
 - (iii) of a disability appeal tribunal; or
 - (iv) of an adjudication officer,
- shall be conclusive evidence of the decision; and a certificate purporting to be so signed shall be deemed to be so signed unless the contrary is proved.

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