



# Social Security Administration (Northern Ireland) Act 1992

## 1992 CHAPTER 8

### PART VI

#### ENFORCEMENT

##### *Inspection*

#### **104 Appointment and powers of inspectors.**

- (1) For the purposes of the legislation to which this section applies the Department may appoint such inspectors, and pay to them such salaries or remuneration, as it may determine with the consent of the Department of Finance and Personnel.
- (2) An inspector appointed under this section shall, for the purposes of the execution of that legislation, have the following powers—
  - (a) to enter at all reasonable times any premises liable to inspection under this section;
  - (b) to make such examination and inquiry as may be necessary—
    - (i) for ascertaining whether the provisions of the legislation are being, or have been, complied with in any such premises; or
    - (ii) for investigating the circumstances in which any accident, injury or disease which has given or may give rise to a claim for industrial injuries benefit, or for any benefit which is a relevant benefit, occurred or may have occurred, or was or may have been received or contracted;
  - (c) to examine, either alone or in the presence of any other person, as he thinks fit, in relation to any matters under the legislation on which he may reasonably require information, every person whom he finds in any such premises or whom he has reasonable cause to believe to be or to have been a person liable to pay—

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*Status: Point in time view as at 01/07/1992. This version of this provision has been superseded.*

*Changes to legislation: Social Security Administration (Northern Ireland) Act 1992, Section 104 is up to date with all changes known to be in force on or before 06 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)*

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- (i) contributions under Part I of the Contributions and Benefits Act;
    - (ii) a state scheme premium; or
    - (iii) a compensation payment or a relevant payment,

and to require every such person to be so examined;
  - (d) to exercise such other powers as may be necessary for carrying the legislation into effect.
- (3) The premises liable to inspection under this section are any where an inspector has reasonable grounds for supposing that—
- (a) any persons are employed;
  - (b) there is being carried on any agency or other business for the introduction or supply to persons requiring them of persons available to do work or to perform services;
  - (c) a personal or occupational pension scheme is being administered; or
  - (d) any person—
    - (i) who is the compensator in relation to any such accident, injury or disease as is referred to in subsection (2)(b)(ii) above; or
    - (ii) on whose behalf any such compensator has or may have made, or may make, a compensation payment,

carries on business or is to be found,

but do not include any private dwelling-house not used by, or by permission of, the occupier for the purposes of a trade or business.
- (4) Every inspector shall be furnished with a certificate of his appointment, and on applying for admission to any premises for the purpose of the legislation shall, if so required, produce the certificate.
- (5) Where any premises are liable to be inspected by an inspector or officer appointed or employed by, or are under the control of, some other government department, the Department may make arrangements with that department for any of the powers or duties of inspectors under this section to be carried out by an inspector or officer employed by that department.
- (6) In accordance with this section, persons shall furnish to an inspector all such information, and produce for his inspection all such documents, as he may reasonably require for the purpose of ascertaining—
- (a) whether—
    - (i) any contribution under Part I of the Contributions and Benefits Act;
    - (ii) any state scheme premium; or
    - (iii) any compensation payment or relevant payment,

is or has been payable, or has been duly paid, by or in respect of any person; or
  - (b) whether benefit is or was payable to or in respect of any person.
- (7) The following persons are under the duty imposed by subsection (6) above—
- (a) the occupier of any premises liable to inspection under this section;
  - (b) any person who is or has been an employer or an employee within the meaning of any provision of the Contributions and Benefits Act;
  - (c) any person carrying on an agency or other business for the introduction or supply to persons requiring them of persons available to do work or to perform services;

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- (d) any person who is or has at any time been a trustee or manager of a personal or occupational pension scheme;
- (e) any person who is or has been liable—
  - (i) to pay contributions or state scheme premiums; or
  - (ii) to make any compensation payment or relevant payment;
- (f) the servants or agents of any such person as is specified in any of the preceding paragraphs,

but no one shall be required under this section to answer any questions or to give evidence tending to incriminate himself or, in the case of a person who is married, his or her spouse.

(8) This section applies to the following legislation—

- (a) the Social Security Act 1973;
- (b) the Contributions and Benefits Act;
- (c) this Act;
- (d) the Pensions Order; and
- (e) Part II of the 1986 Order.

(9) In this section “relevant benefit” and “relevant payment” mean a relevant benefit and relevant payment within the meaning of Part IV of this Act.

**Status:**

Point in time view as at 01/07/1992. This version of this provision has been superseded.

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