



Social Security Administration (Northern Ireland) Act 1992

1992 CHAPTER 8

PART VI

ENFORCEMENT

Legal proceedings

[^{F1}111 Issues arising in proceedings.

- (1) This section applies to proceedings before a court—
 - (a) for an offence under this Act or the Jobseekers (Northern Ireland) Order 1995;
 - (b) involving any question as to the payment of contributions (other than a Class 4 contribution recoverable by the Inland Revenue); or
 - (c) for the recovery of any sums due to the Department [^{F2}, or the Inland Revenue] or the National Insurance Fund.
- (2) A decision of the Department which—
 - (a) falls within Part II of Schedule 3 to the Social Security (Northern Ireland) Order 1998 (“the 1998 Order”); and
 - (b) relates to or affects an issue arising in the proceedings,shall be conclusive for the purposes of the proceedings.
- (3) If—
 - (a) any such decision is necessary for the determination of the proceedings; and
 - (b) the decision of the Department has not been obtained or an application with respect to the decision has been made under Article 10 or 11 of the 1998 Order,the decision shall be referred to the Department to be made in accordance (subject to any necessary modifications) with Chapter II of Part II of that Order.
- (4) Subsection (2) above does not apply where, in relation to the decision—

Status: Point in time view as at 01/01/2010.

Changes to legislation: Social Security Administration (Northern Ireland) Act 1992, Section 111 is up to date with all changes known to be in force on or before 05 August 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)

- (a) an appeal has been brought but not determined;
 - (b) an application for leave to appeal has been made but not determined;
 - (c) an appeal has not been brought (or, as the case may be, an application for leave to appeal has not been made) but the time for doing so has not yet expired; or
 - (d) an application has been made under Article 10 or 11 of the 1998 Order.
- (5) In a case falling within subsection (4) above the court shall adjourn the proceedings until such time as the final decision is known; and that decision shall be conclusive for the purposes of the proceedings.]

Textual Amendments

- F1** S. 111 substituted (5.7.1999 and 29.11.1999 for certain purposes, otherwise *prosp.* by S.I. 1998/1506 (N.I. 10), arts. 1, 78(1), **Sch. 6 para. 65**; S.R. 1999/310, art. 2(1), **Sch. 1** (with arts. 4, 14); 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)
- F2** Words in s. 111(1)(c) inserted (5.7.1999) by S.I. 1999/671, art. 5, **Sch. 6 para. 9**; S.R. 1999/271, art. 2(c), **Sch. Pt. II** (subject to art. 4)

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