



# Social Security Administration (Northern Ireland) Act 1992

## 1992 CHAPTER 8

### PART XV

#### GENERAL

#### *Supplementary*

#### **167 Interpretation.**

(1) In this Act, unless the context otherwise requires—

“the Assembly” means the Northern Ireland Assembly;

“the 1975 Act” means the <sup>M1</sup>Social Security (Northern Ireland) Act 1975;

“benefit” means benefit under the Contributions and Benefits Act [<sup>F1</sup>and includes [<sup>F2</sup>universal credit,][<sup>F3</sup>state pension under Part 1 of the Pensions Act (Northern Ireland) 2015,] a jobseeker’s allowance ][<sup>F4</sup>state pension credit, an employment and support allowance and personal independence payment][<sup>F5</sup>and bereavement support payment under section 29 of the Pensions Act (Northern Ireland) 2015] ;

“Christmas bonus” means a payment under Part X of the Contributions and Benefits Act;

“claimant” (in relation to contributions under Part I and to benefit under Parts II to IV of the Contributions and Benefits Act) means—

- (a) a person whose right to be excepted from liability to pay, or to have his liability deferred for, or to be credited with, a contribution, is in question;
- (b) a person who has claimed benefit;

and includes, in relation to an award or decision, a beneficiary under the award or affected by the decision;

“claim” is to be construed in accordance with “claimant”;

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“claimant” (in relation to industrial injuries benefit) means a person who has claimed such a benefit and includes—

- (a) an applicant for a declaration under <sup>F6</sup>Article 29 of the Social Security (Northern Ireland) Order 1998] that an accident was or was not an industrial accident; and
- (b) in relation to an award or decision, a beneficiary under the award or affected by the decision;

<sup>F7</sup>“Commissioner” means the Chief Social Security Commissioner or any other Social Security Commissioner and includes a tribunal of 2 or more Commissioners constituted under Article 16(7) of the Social Security (Northern Ireland) Order 1998;]

<sup>F8</sup>  
...

<sup>F8</sup>  
...

“the Consequential Provisions Act” means the <sup>M2</sup>Social Security (Consequential Provisions) (Northern Ireland) Act 1992;

“Consolidated Fund” means the Consolidated Fund of Northern Ireland;

<sup>F9</sup>“contribution” means a contribution under Part I of the Contributions and Benefits Act;]

<sup>F10</sup>“contribution-based jobseeker’s allowance” has the same meaning as in the Jobseekers (Northern Ireland) Order 1995;]

“contribution card” has the meaning assigned to it by section 108(6) above;

“the Contributions and Benefits Act” means the <sup>M3</sup>Social Security Contributions and Benefits (Northern Ireland) Act 1992;

<sup>F11</sup>“contributory employment and support allowance” means a contributory allowance under Part 1 of the Welfare Reform Act (Northern Ireland) 2007 (employment and support allowance);]

<sup>F12</sup>“the Department” means the Department for Social Development but—

- (a) in sections 109A, 116 and 116B to 116D also includes the Department of Finance and Personnel; and
- (b) <sup>F13</sup>in sections <sup>F14</sup>2E, 2F, 2G (except in the second reference in subsection (1)(c))] 115D, 115E, 116, 116ZA, 116C and 116D also includes the Department for Employment and Learning;]

“the Department of the Environment” means the Department of the Environment for Northern Ireland;

“the Department of Finance and Personnel” means the Department of Finance and Personnel in Northern Ireland; <sup>F15</sup>but in sections 116 and 116B also includes the Department of the Environment;]

“disablement benefit” is to be construed in accordance with section 94(2) (a) of the Contributions and Benefits Act;

<sup>F16</sup>“the disablement questions” is to be construed in accordance with section 43 above;]

“dwelling” means any residential accommodation, whether or not consisting of the whole or part of a building and whether or not comprising separate and self-contained premises;

“the Great Britain Administration Act” means the <sup>M4</sup>Social Security Administration Act 1992;

“the Great Britain Contributions and Benefits Act” means the <sup>M5</sup>Social Security Contributions and Benefits Act 1992;

“the Housing Executive” means the Northern Ireland Housing Executive;

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[<sup>F17</sup>“income-based jobseeker’s allowance” has the same meaning as in the Jobseekers (Northern Ireland) Order 1995;]

“income-related benefit” means—

- (a) income support;
- <sup>F18</sup>(b) .....
- <sup>F18</sup>(c) .....
- (d) housing benefit;

[<sup>F19</sup>“income-related employment and support allowance” means an income-related allowance under Part 1 of the Welfare Reform Act (Northern Ireland) 2007 (employment and support allowance);]

“industrial injuries benefit” means benefit under Part V of the Contributions and Benefits Act<sup>F20</sup> ...;

[<sup>F21</sup>“Inland Revenue” means the Commissioners of Inland Revenue;]

<sup>F22</sup>  
...  
<sup>F23</sup>  
...

“medical examination” includes bacteriological and radiographical tests and similar investigations, and “medically examined” has a corresponding meaning;

“medical practitioner” means—

- (a) a registered medical practitioner; or
- (b) a person outside the United Kingdom who is not a registered medical practitioner, but has qualifications corresponding (in the Department’s opinion) to those of a registered medical practitioner;

“medical treatment” means medical, surgical or rehabilitative treatment (including any course of diet or other regimen), and references to a person receiving or submitting himself to medical treatment are to be construed accordingly;

[<sup>F24</sup>[<sup>F25</sup>“money purchase contracted-out scheme” is to be construed in accordance with [<sup>F26</sup>section 3B] of the Pensions Act;]]

“National Insurance Fund” means the Northern Ireland National Insurance Fund;

“occupational pension scheme” has the same meaning as in [<sup>F27</sup>section 1 of the Pensions Act];

“the Old Cases Act” means the<sup>M6</sup>Industrial Injuries and Diseases (Northern Ireland Old Cases) Act 1975;

<sup>F20</sup>  
...

“the 1986 Order” means the<sup>M7</sup>Social Security (Northern Ireland) Order 1986;

[<sup>F28</sup>“pensionable age” has the meaning given by the rules in paragraph 1 of Schedule 2 to the Pensions (Northern Ireland) Order 1995;]

[<sup>F29</sup>“the Pensions Act” means the Pension Schemes (Northern Ireland) Act 1993;]

“the Pensions Order” means the<sup>M8</sup>Social Security Pensions (Northern Ireland) Order 1975;

“personal pension scheme” has the meaning assigned to it by [<sup>F30</sup>section 1 of the Pensions Act][<sup>F31</sup>and “appropriate”, in relation to such a scheme, shall be construed in accordance with [<sup>F32</sup>section 3B(6)] of that Act];

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“prescribe” means prescribe by regulations [<sup>F33</sup>and “prescribed” must be construed accordingly] ;

[<sup>F34</sup>“President” means the President of social security appeal tribunals, medical appeal tribunals and disability appeal tribunals;]

“regulations” means regulations made by the Department or the Lord Chancellor under this Act;

[<sup>F35</sup>“state pension credit” means state pension credit under the State Pension Credit Act (Northern Ireland) 2002;]

“statutory provision” has the meaning assigned to it by section 1(f) of the <sup>M9</sup>Interpretation Act (Northern Ireland) 1954 ;

“tax year” means the 12 months beginning with 6th April in any year;

“widow’s benefit” has the meaning assigned to it by section 20(1)(e) of the Contributions and Benefits Act.

- (2) For the purposes of Part III of the <sup>M10</sup>Northern Ireland Constitution Act 1973 (validity of Measures of the Northern Ireland Assembly, including Orders in Council under the <sup>M11</sup>Northern Ireland Act 1974), provisions of this Act which re-enact provisions of a Measure of the Assembly or such an Order are to be treated as provisions of such a Measure or Order.

#### Textual Amendments

- F1** Words in s. 167(1) inserted (3.5.1996) by S.I. 1995/2705 (N.I. 15), art. 40(1), **Sch. 2 para. 51(2)**; S.R. 1996/180, **art. 2**
- F2** Words in s. 167(1) inserted (27.9.2017) by The Welfare Reform (Northern Ireland) Order 2015 (S.I. 2015/2006), art. 2(2), **Sch. 2 para. 27**; S.R. 2017/190, art. 4(1)(2)(g)(ii)
- F3** Words in s. 167(1) inserted (6.4.2016 unless brought into operation earlier by an order under s. 53(1) of the amending Act) by Pensions Act (Northern Ireland) 2015 (c. 5), s. 53(3), **Sch. 12 para. 24**
- F4** Words in s. 167(1) substituted (2.5.2016 for specified purposes, 20.6.2016 in so far as not already in force) by The Welfare Reform (Northern Ireland) Order 2015 (S.I. 2015/2006), art. 2(2), **Sch. 9 para. 29**; S.R. 2016/215, arts. 2(5)(h)(ii), 3(2)
- F5** Words in s. 167(1)(a) added (6.4.2017) by Pensions Act (Northern Ireland) 2015 (c. 5), s. 53(1), **Sch. 16 para. 33**; S.R. 2017/44, art. 2(2) (with arts. 3, 4)
- F6** Words in s. 167(1) substituted (5.7.1999 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. 87(b)**; S.R. 1999/310, art. 2(1)(b), **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)
- F7** Definition in s. 167(1) 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. 87(c)**; 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. 1** (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)
- F8** Definitions in s. 167(1) repealed (6.10.1997) by S.I. 1997/1183 (N.I. 11), art. 31(1)(2), **Sch. 3, para. 11, Sch. 4**; S.R. 1997/400, **art. 2**
- F9** Definition in s. 167(1) inserted (1.7.1997) by 1997 c. 47, s. 22, **Sch. 1 para. 14(2)**; S.I. 1997/1577, art. 2, **Sch.**
- F10** Definition in s. 167(1) inserted (3.5.1996) by S.I. 1995/2705 (N.I. 15), art. 40(1), **Sch. 2 para. 51(3)**; S.R. 1996/180, **art. 2**
- F11** Words in s. 167(1) inserted (1.7.2008 for specified purposes, 27.7.2008 in so far as not already in force) by Welfare Reform Act (Northern Ireland) 2007 (c. 2), s. 60(1), **Sch. 3 para. 4(28)(b)**; S.R. 2008/276, art. 2(2)(a)(i)(ii)

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- F12** S.167(1): definition of "the Department" substituted (9.9.2002) by Employment Act 2002 (c. 22), ss. 53, 55(2), **Sch. 7 para. 17**; S.I. 2002/2256, **art. 2**
- F13** S. 167(1)(b) substituted (19.11.2002) by Social Security Act (Northern Ireland) 2002 (c. 10), ss. 6(4), 9; S.R. 2002/351, **art. 2**, **Sch. Pt. I**
- F14** Words in s. 167(1) inserted (13.8.2010) by Welfare Reform Act (Northern Ireland) 2010 (c. 13), ss. 2(5), 36(1)(a)
- F15** Words in definition in s. 167(1) inserted (1.7.1997) by 1997 c. 47, s. 22, **Sch. 1**, para. 14(3); S.I. 1997/1577, **art. 2**, **Sch.**
- F16** Definition in s. 167(1) repealed (29.11.1999 for certain purposes, otherwise prosp.) by S.I. 1998/1506 (N.I. 10), arts. 1(2), 78, **Sch. 6 para. 87(a)**, **Sch. 7**; 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)
- F17** Definition in s. 167(1) inserted (3.5.1996) by S.I. 1995/2705 (N.I. 15), **art. 40(1)**, **Sch. 2 para. 51(4)**; S.R. 1996/180, **art. 2**
- F18** Words in s. 167(1) repealed (8.4.2003) by Tax Credits Act 2002 (c. 21), s. 61, **Sch. 6**; S.I. 2003/962, **art. 2(4)(e)**, **Sch. 2** (with **art. 3**)
- F19** Words in s. 167(1) inserted (1.7.2008 for specified purposes, 27.7.2008 in so far as not already in force) by Welfare Reform Act (Northern Ireland) 2007 (c. 2), s. 60(1), **Sch. 3 para. 4(28)(c)**; S.R. 2008/276, **art. 2(2)(a)(i)(ii)**
- F20** Words in s. 167(1) repealed (31.10.2016) by The Welfare Reform (Northern Ireland) Order 2015 (S.I. 2015/2006), **art. 2(2)**, **Sch. 12 Pt. 6**; S.R. 2016/234, **art. 3(3)**
- F21** Definition in s. 167(1) inserted (24.3.1999 for certain purposes, otherwise 1.4.1999) by S.I. 1999/671, arts. 1(2), 3(1), **Sch. 1 para. 35** (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.)
- F22** Definition in s. 167(1) repealed (13.4.1995) by S.I. 1994/1898 (N.I. 12), **art. 13(1)(2)**, **Sch. 1 Pt. II**, **para. 51**, **Sch. 2**; S.R. 1994/450, **art. 2**, **Sch. Pt. IV**
- F23** Definition in s. 167(1) repealed (2.12.1999) by 1998 c. 47, s. 100(2), **Sch. 15**; S.I. 1999/3209, **art. 2**, **Sch.**
- F24** Definitions in s. 167(1) added (7.2.1994) by 1993 c. 49, s. 184, **Sch. 7 para. 42(a)**; S.R. 1994/17, **art. 2**
- F25** Words in s. 167(1) substituted (6.4.2012) by The Pensions (2008 Act) (Abolition of Contracting-out for Defined Contribution Pension Schemes) (Consequential Provisions) Regulations (Northern Ireland) 2012 (S.R. 2012/120), regs. 1(a), 2(3)(a)
- F26** Words in s. 167 substituted (6.4.2016 unless brought into operation earlier by an order under s. 53(1) of the amending Act) by Pensions Act (Northern Ireland) 2015 (c. 5), s. 53(3), **Sch. 13 para. 56(a)**
- F27** Words in definition in s. 167(1) substituted (7.2.1994) by 1993 c. 49, s. 184, **Sch. 7 para. 42(b)**; S.R. 1994/17, **art. 2**
- F28** Definition in s. 167(1) substituted (6.4.1997) by S.I. 1995/3213 (N.I. 22), **art. 123**, **Sch. 2**, Pt. III, **para. 10**; S.R. 1997/192, **art. 2**
- F29** Definition in s. 167(1) inserted (7.2.1994) by 1993 c. 49, s. 184, **Sch. 7 para. 42(c)**; S.R. 1994/17, **art. 2**
- F30** Words in definition in s. 167(1) substituted (7.2.1994) by 1993 c. 49, s. 184, **Sch. 7 para. 42(d)**; S.R. 1994/17, **art. 2**
- F31** Words in definition in s. 167(1) added (7.2.1994) by 1993 c. 49, s. 184, **Sch. 7 para. 42(d)**; S.R. 1994/17, **art. 2**
- F32** Words in s. 167 substituted (6.4.2016 unless brought into operation earlier by an order under s. 53(1) of the amending Act) by Pensions Act (Northern Ireland) 2015 (c. 5), s. 53(3), **Sch. 13 para. 56(b)**
- F33** Words in s. 167(1) added (29.6.2007) by Welfare Reform Act (Northern Ireland) 2007 (c. 2), s. 60(2) (b), **Sch. 5 para. 5**
- F34** Definition in s. 167(1) repealed (29.11.1999 for certain purposes, otherwise prosp.) by S.I. 1998/1506 (N.I. 10), arts. 1(2), 78, **Sch. 6 para. 87(a)**, **Sch. 7**; 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)

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**F35** S. 167(1): definition of "state pension credit" 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. 22**; S.R. 2002/366, **art. 2(l)**

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**Marginal Citations**

- M1** 1975 c. 15.
- M2** 1992 c. 9.
- M3** 1992 c. 7.
- M4** 1992 c. 5.
- M5** 1992 c. 4.
- M6** 1975 c. 17.
- M7** S.I. 1986/1888 (N.I. 18).
- M8** S.I. 1975/1503 (N.I. 15).
- M9** 1954 c. 33 (N.I.).
- M10** 1973 c. 36.
- M11** 1974 c. 28.

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