



Social Security Administration (Northern Ireland) Act 1992

1992 CHAPTER 8

PART I

CLAIMS FOR AND PAYMENTS AND GENERAL ADMINISTRATION OF BENEFIT

[^{F1}Work-focused interviews][^{F1}and work-related activity]

[^{F1}2B Supplementary provisions relating to work-focused interviews.

- (1) Chapter II of Part II of the Social Security (Northern Ireland) Order 1998 (social security decisions and appeals) shall have effect in relation to relevant decisions [^{F2}made under regulations under section 2A or 2AA above] subject to and in accordance with subsections (3) to (8) below (and in those subsections “the 1998 Order” means that Order).
- (2) For the purposes of this section a “relevant decision” [^{F3}, in relation to regulations under section 2A above, is a decision] that a person—
 - (a) has failed to comply with a requirement to take part in an interview which applied to him by virtue of the regulations, or
 - (b) has not shown, within the prescribed period mentioned in section 2A(3)(e)(ii) above, that he had good cause for such a failure.

[For the purposes of this section a “relevant decision”, in relation to regulations under ^{F4}(2A) section 2AA above, is a decision that—

- (a) the partner of a person entitled to a benefit has failed to comply with a requirement to take part in an interview which applied to the partner by virtue of the regulations, or
- (b) it has not been shown, within the prescribed period mentioned in section 2AA(4)(f)(ii) above, that the partner had good cause for such a failure.]

Status: Point in time view as at 12/10/2015.

Changes to legislation: Social Security Administration (Northern Ireland) Act 1992, Section 2B is up to date with all changes known to be in force on or before 16 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)

- (3) Article 9(1)(c) of the 1998 Order (decisions falling to be made under certain statutory provisions are to be made by the Department) shall have effect subject to any provisions of regulations under section 2A [^{F5}or 2AA] above by virtue of which relevant decisions fall to be made otherwise than by the Department.
- (4) For the purposes of each of Articles 10 and 11 of the 1998 Order (revision and supersession of decisions of Department) any relevant decision made otherwise than by the Department shall be treated as if it were such a decision made by the Department (and accordingly may be revised by it under Article 10 or superseded by a decision made by it under Article 11).
- (5) Subject to any provisions of regulations under either Article 10 or 11 of the 1998 Order, any relevant decision made, or (by virtue of subsection (4) above) treated as made, by the Department may be—
- (a) revised under Article 10 by a person or authority exercising functions under regulations under section 2A [^{F6}or 2AA] above other than the Department, or
 - (b) superseded under Article 11 by a decision made by such a person or authority, as if that person or authority were the Department.
- (6) Regulations shall make provision for conferring (except in any prescribed circumstances) a right of appeal under Article 13 of the 1998 Order (appeal to appeal tribunal) against—
- (a) any relevant decision, and
 - (b) any decision under Article 11 of that Order superseding any such decision, whether made by the Department or otherwise.
- (7) Subsections (4) to (6) above apply whether—
- (a) the relevant decision, or
 - (b) (in the case of subsection (6)(b)) the decision under Article 11 of the 1998 Order,
- is as originally made or has been revised (by the Department or otherwise) under Article 10 of that Order; and regulations under subsection (6) above may make provision for treating, for the purposes of Article 13 of that Order, any decision made or revised otherwise than by the Department as if it were a decision made or revised by it.
- (8) Article 13 of the 1998 Order shall not apply to any decision falling within subsection (6) above except in accordance with regulations under that subsection.
- (9) In the following provisions, namely—
- (a) section 3(1) of the Social Security Act 1998 (use of information), and
 - (b) Article 69(6) of the Welfare Reform and Pensions (Northern Ireland) Order 1999 (supply of information),
- any reference to information relating to social security includes any information supplied by a person for the purposes of an interview which he is required to take part in by virtue of section 2A [^{F7}or 2AA] above.
- (10) In this section “interview” means a work-focused interview within the meaning of section 2A above.]

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Textual Amendments

- F1** Ss. 2A, 2B and preceding cross-heading inserted (1.12.1999) by [S.I. 1999/3147 \(N.I. 11\)](#), [arts. 1\(4\)](#), 54
- F2** Words in s. 2B(1) inserted (10.9.2003) by [Social Security Act \(Northern Ireland\) 2002 \(c. 10\)](#), s. 9(1), [Sch. 1 para. 6\(a\)](#); [S.R. 2003/396](#), art. 2
- F3** Words in s. 2B(2) substituted (10.9.2003) by [Social Security Act \(Northern Ireland\) 2002 \(c. 10\)](#), s. 9(1), Sch. 1 para. 6(b); [S.R. 2003/396](#), [art. 2](#)
- F4** S. 2B(2A) inserted (10.9.2003) by [Social Security Act \(Northern Ireland\) 2002 \(c. 10\)](#), s. 9(1), [Sch. 1 para. 6\(c\)](#); [S.R. 2003/396](#), art. 2
- F5** Words in s. 2B(3) inserted (10.9.2003) by [Social Security Act \(Northern Ireland\) 2002 \(c. 10\)](#), s. 9(1), [Sch. 1 para. 6\(d\)](#); [S.R. 2003/396](#), art. 2
- F6** Words in s. 2B(5)(a) inserted (10.9.2003) by [Social Security Act \(Northern Ireland\) 2002 \(c. 10\)](#), s. 9(1), [Sch. 1 para. 6\(d\)](#); [S.R. 2003/396](#), art. 2
- F7** Words in s. 2B(9) inserted (10.9.2003) by [Social Security Act \(Northern Ireland\) 2002 \(c. 10\)](#), s. 9(1), [Sch. 1 para. 6\(d\)](#); [S.R. 2003/396](#), art. 2

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