



Social Security Act 1998

1998 CHAPTER 14

PART I

DECISIONS AND APPEALS

CHAPTER II

SOCIAL SECURITY DECISIONS AND APPEALS

Suspension and termination of benefit

21 Suspension in prescribed circumstances

- (1) Regulations may provide for—
 - (a) suspending payments of a relevant benefit, in whole or in part, in prescribed circumstances;
 - (b) the subsequent making in prescribed circumstances of any or all of the payments so suspended.
- (2) Regulations made under subsection (1) above may, in particular, make provision for any case where—
 - (a) it appears to the Secretary of State that an issue arises whether the conditions for entitlement to a relevant benefit are or were fulfilled;
 - (b) it appears to the Secretary of State that an issue arises whether a decision as to an award of a relevant benefit should be revised (under section 9 above) or superseded (under section 10 above);
 - (c) an appeal is pending against a decision of [^{F1}the First-tier Tribunal, the Upper Tribunal] or a court; or
 - (d) an appeal is pending against the decision given in a different case by [^{F2}the Upper Tribunal] or a court, and it appears to the Secretary of State that if the appeal were to be determined in a particular way an issue would arise whether

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the award of a relevant benefit (whether the same benefit or not) in the case itself ought to be revised or superseded.

- (3) For the purposes of subsection (2) above, an appeal against a decision is pending if—
- (a) an appeal against the decision has been brought but not determined;
 - (b) an application for [^{F3}permission] to appeal against the decision has been made but not determined; or
 - (c) in such circumstances as may be prescribed, an appeal against the decision has not been brought (or, as the case may be, an application for [^{F4}permission] to appeal against the decision has not been made) but the time for doing so has not yet expired.

^{F5}(4)

Textual Amendments

- F1** Words in s. 21(2)(c) substituted (3.11.2008) by [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 1(1), **Sch. 3 para. 159(a)(i)**
- F2** Words in s. 21(2)(d) substituted (3.11.2008) by [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 1(1), **Sch. 3 para. 159(a)(ii)**
- F3** Word in s. 21(3)(b) substituted (3.11.2008) by [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 1(1), **Sch. 3 para. 159(b)**
- F4** Word in s. 21(3)(c) substituted (3.11.2008) by [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 1(1), **Sch. 3 para. 159(b)**
- F5** S. 21(4) repealed (1.4.1999) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\)](#), s. 28(3), [Sch. 7 para. 32](#), **Sch. 10 Pt. 1** (with [Sch. 8](#)); S.I. 1999/527, art. 2(b), [Sch. 2](#) (with arts. 3-6)

Modifications etc. (not altering text)

- C1** S. 21 applied (6.4.2010) by [The National Insurance Contribution Credits \(Transfer of Functions\) Order 2009 \(S.I. 2009/1377\)](#), arts. 1(1), **3(2)(l)**, 4

Commencement Information

- I1** S. 21 in force at 4.3.1999 for specified purposes by [S.I. 1999/528](#), art. 2(a), **Sch.**
- I2** S. 21 in force at 5.7.1999 for specified purposes by [S.I. 1999/1958](#), art. 2(1)(b), **Sch. 1** (with art. 5, [Sch. 12](#))
- I3** S. 21 in force at 6.9.1999 for specified purposes by [S.I. 1999/2422](#), art. 2(c), **Sch. 1** (with art. 4, [Sch. 14](#))
- I4** S. 21 in force at 5.10.1999 for specified purposes by [S.I. 1999/2739](#), art. 2, **Sch. 1** (with art. 3, [Sch. 2](#))
- I5** S. 21 in force at 18.10.1999 for specified purposes by [S.I. 1999/2860](#), art. 2(c), **Sch. 1** (with art. 4, [Schs. 16-18](#))
- I6** S. 21 in force at 29.11.1999 for specified purposes by [S.I. 1999/3178](#), art. 2(1)(a)(2), **Sch. 1** (with art. 4, [Schs. 21-23](#))

22 Suspension for failure to furnish information etc

- (1) The powers conferred by this section are exercisable in relation to persons who fail to comply with information requirements.
- (2) Regulations may provide for—
- (a) suspending payments of a relevant benefit, in whole or in part;

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- (b) the subsequent making in prescribed circumstances of any or all of the payments so suspended.
- (3) In this section and section 23 below “information requirement” means a requirement, made in pursuance of regulations under subsection (1)(hh) of section 5 of the Administration Act, to furnish information or evidence needed for a determination whether a decision on an award of benefit to which that section applies should be revised under section 9 or superseded under section 10 above.
- [^{F6}(4) Subsection (3A) of section 5 of the Administration Act (which glosses paragraph (hh) in the case of state pension credit) shall apply in relation to subsection (3) above as it applies in relation to paragraph (hh) of subsection (1) of that section.]

Textual Amendments

- F6** S. 22(4) inserted (2.7.2002 for specified purposes, 6.10.2003 in so far as not already in force) by [State Pension Credit Act 2002 \(c. 16\)](#), s. 22(3), [Sch. 1 para. 8](#); [S.I. 2002/1691](#), art. 2(i); [S.I. 2003/1766](#), art. 2(a)

Modifications etc. (not altering text)

- C2** S. 22 applied (6.4.2010) by [The National Insurance Contribution Credits \(Transfer of Functions\) Order 2009 \(S.I. 2009/1377\)](#), arts. 1(1), [3\(2\)\(m\)](#), 4

Commencement Information

- I7** S. 22 in force at 4.3.1999 for specified purposes by [S.I. 1999/528](#), art. 2(a), [Sch.](#)
- I8** S. 22 in force at 5.7.1999 for specified purposes by [S.I. 1999/1958](#), art. 2(1)(b), [Sch. 1](#) (with art. 5, [Sch. 12](#))
- I9** S. 22 in force at 6.9.1999 for specified purposes by [S.I. 1999/2422](#), art. 2(c), [Sch. 1](#) (with art. 4, [Sch. 14](#))
- I10** S. 22 in force at 5.10.1999 for specified purposes by [S.I. 1999/2739](#), art. 2, [Sch. 1](#) (with art. 3, [Sch. 2](#))
- I11** S. 22 in force at 18.10.1999 for specified purposes by [S.I. 1999/2860](#), art. 2(c), [Sch. 1](#) (with art. 4, [Schs. 16-18](#))
- I12** S. 22 in force at 29.11.1999 for specified purposes by [S.I. 1999/3178](#), art. 2(1)(a)(2), [Sch. 1](#) (with art. 4, [Schs. 21-23](#))

23 Termination in cases of failure to furnish information

Regulations may provide that, except in prescribed cases or circumstances, a person—

- (a) whose benefit has been suspended in accordance with regulations under section 21 above and who subsequently fails to comply with an information requirement; or
- (b) whose benefit has been suspended in accordance with regulations under section 22 above for failing to comply with such a requirement,

shall cease to be entitled to the benefit from a date not earlier than the date on which payments were suspended.

Modifications etc. (not altering text)

- C3** S. 23 applied (6.4.2010) by [The National Insurance Contribution Credits \(Transfer of Functions\) Order 2009 \(S.I. 2009/1377\)](#), arts. 1(1), [3\(2\)\(n\)](#), 4

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- I13** S. 23 in force at 4.3.1999 for specified purposes by [S.I. 1999/528](#), art. 2(a), **Sch.**
- I14** S. 23 in force at 5.7.1999 for specified purposes by [S.I. 1999/1958](#), art. 2(1)(b), **Sch. 1** (with art. 5, [Sch. 12](#))
- I15** S. 23 in force at 6.9.1999 for specified purposes by [S.I. 1999/2422](#), art. 2(c), **Sch. 1** (with art. 4, [Sch. 14](#))
- I16** S. 23 in force at 5.10.1999 for specified purposes by [S.I. 1999/2739](#), art. 2, **Sch. 1** (with art. 3, [Sch. 2](#))
- I17** S. 23 in force at 18.10.1999 for specified purposes by [S.I. 1999/2860](#), art. 2(c), **Sch. 1** (with art. 4, [Schs. 16-18](#))
- I18** S. 23 in force at 29.11.1999 for specified purposes by [S.I. 1999/3178](#), art. 2(1)(a)(2), **Sch. 1** (with art. 4, [Schs. 21-23](#))

24 Suspension and termination for failure to submit to medical examination

Regulations may make provision—

- (a) enabling the Secretary of State to require a person to whom a relevant benefit has been awarded to submit to medical examination;
- (b) for suspending payments of benefit, in whole or in part, in a case of a person who fails to submit himself to a medical examination to which he is required to submit in accordance with regulations under paragraph (a) above;
- (c) for the subsequent making in prescribed circumstances of any or all of the payments so suspended;
- (d) for entitlement to the benefit to cease, except in prescribed cases or circumstances, from a date not earlier than the date on which payments were suspended.

Commencement Information

- I19** S. 24 in force at 4.3.1999 for specified purposes by [S.I. 1999/528](#), art. 2(a), **Sch.**
- I20** S. 24 in force at 5.7.1999 for specified purposes by [S.I. 1999/1958](#), art. 2(1)(b), **Sch. 1** (with art. 5, [Sch. 12](#))
- I21** S. 24 in force at 6.9.1999 for specified purposes by [S.I. 1999/2422](#), art. 2(c), **Sch. 1** (with art. 4, [Sch. 14](#))
- I22** S. 24 in force at 5.10.1999 for specified purposes by [S.I. 1999/2739](#), art. 2, **Sch. 1** (with art. 3, [Sch. 2](#))
- I23** S. 24 in force at 18.10.1999 for specified purposes by [S.I. 1999/2860](#), art. 2(c), **Sch. 1** (with art. 4, [Schs. 16-18](#))
- I24** S. 24 in force at 29.11.1999 for specified purposes by [S.I. 1999/3178](#), art. 2(1)(a)(2), **Sch. 1** (with art. 4, [Schs. 21-23](#))

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