

Status: Point in time view as at 06/09/1999.

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SCHEDULES

SCHEDULE 5

Section 16(1).

REGULATIONS AS TO PROCEDURE: PROVISION WHICH MAY BE MADE

Modifications etc. (not altering text)

- C1** Sch. 5 applied (with modifications) by [Pension Schemes Act 1993 \(c. 48\), s. 170\(7\)](#) (as substituted (14.6.1999 for specified purposes, 5.7.1999 in so far as not already in force) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\), ss. 16\(2\), 28\(3\)](#) (with Sch. 8); S.I. 1999/1662, art 2, Sch. (with art. 4))

- 1 Provision prescribing the procedure to be followed in connection with—
- (a) the making of decisions or determinations by the Secretary of State, an appeal tribunal or a Commissioner; and
 - (b) the withdrawal of claims, applications, appeals or references falling to be decided or determined by the Secretary of State, an appeal tribunal or a Commissioner.

Commencement Information

- I1** Sch. 5 para. 1 in force at 4.3.1999 for specified purposes by [S.I. 1999/528, art. 2\(a\)](#), [Sch.](#)
- I2** Sch. 5 para. 1 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** Sch. 5 para. 1 in force at 6.9.1999 for specified purposes by [S.I. 1999/2422, art. 2\(c\)](#), [Sch. 1](#) (with art. 4, Sch. 14)

- 2 Provision as to the striking out or reinstatement of proceedings.

Commencement Information

- I4** Sch. 5 para. 2 in force at 4.3.1999 for specified purposes by [S.I. 1999/528, art. 2\(a\)](#), [Sch.](#)
- I5** [Sch. 5 para. 2](#) 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)
- I6** [Sch. 5 para. 2](#) in force at 6.9.1999 for specified purposes by [S.I. 1999/2422, art. 2\(c\)](#), [Sch. 1](#) (with art. 4, Sch. 14)

- 3 Provision as to the form which is to be used for any document, the evidence which is to be required and the circumstances in which any official record or certificate is to be sufficient or conclusive evidence.

Commencement Information

- I7** Sch. 5 para. 3 in force at 4.3.1999 for specified purposes by [S.I. 1999/528, art. 2\(a\)](#), [Sch.](#)

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- 18** Sch. 5 para. 3 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)
- 19** Sch. 5 para. 3 in force at 6.9.1999 for specified purposes by [S.I. 1999/2422](#), art. 2(c), **Sch. 1** (with art. 4, Sch. 14)

- 4 Provision as to the time within which, or the manner in which—
- (a) any evidence is to be produced; or
 - (b) any application, reference or appeal is to be made.

Commencement Information

- I10** Sch. 5 para. 4 in force at 4.3.1999 for specified purposes by [S.I. 1999/528](#), art. 2(a), **Sch.**
- I11** Sch. 5 para. 4 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)
- I12** Sch. 5 para. 4 in force at 6.9.1999 for specified purposes by [S.I. 1999/2422](#), art. 2(c), **Sch. 1** (with art. 4, Sch. 14)

- 5 Provision for summoning persons to attend and give evidence or produce documents and for authorising the administration of oaths to witnesses.

Commencement Information

- I13** Sch. 5 para. 5 in force at 4.3.1999 for specified purposes by [S.I. 1999/528](#), art. 2(a), **Sch.**
- I14** Sch. 5 para. 5 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** Sch. 5 para. 5 in force at 6.9.1999 for specified purposes by [S.I. 1999/2422](#), art. 2(c), **Sch. 1** (with art. 4, Sch. 14)

- 6 Provision with respect to the procedure to be followed on appeals to and in other proceedings before appeal tribunals.

Commencement Information

- I16** Sch. 5 para. 6 in force at 4.3.1999 for specified purposes by [S.I. 1999/528](#), art. 2(a), **Sch.**
- I17** Sch. 5 para. 6 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)
- I18** Sch. 5 para. 6 in force at 6.9.1999 for specified purposes by [S.I. 1999/2422](#), art. 2(c), **Sch. 1** (with art. 4, Sch. 14)

- 7 Provision for authorising an appeal tribunal consisting of two or more members to proceed with any case, with the consent of the claimant, in the absence of any member.

Commencement Information

- I19** Sch. 5 para. 7 in force at 4.3.1999 for specified purposes by [S.I. 1999/528](#), art. 2(a), **Sch.**
- I20** Sch. 5 para. 7 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** Sch. 5 para. 7 in force at 6.9.1999 for specified purposes by [S.I. 1999/2422](#), art. 2(c), **Sch. 1** (with art. 4, Sch. 14)

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- 8 Provision for empowering an appeal tribunal to give directions for the disposal of any purported appeal which the tribunal is satisfied that it does not have jurisdiction to entertain.

Commencement Information

- I22** Sch. 5 para. 8 in force at 4.3.1999 for specified purposes by S.I. 1999/528, art. 2(a), **Sch.**
I23 Sch. 5 para. 8 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)
I24 Sch. 5 para. 8 in force at 6.9.1999 for specified purposes by S.I. 1999/2422, art. 2(c), **Sch. 1** (with art. 4, Sch. 14)

- 9 Provision for the non-disclosure to a person of the particulars of any medical advice or medical evidence given or submitted for the purposes of a determination.

Commencement Information

- I25** Sch. 5 para. 9 in force at 4.3.1999 for specified purposes by S.I. 1999/528, art. 2(a), **Sch.**
I26 Sch. 5 para. 9 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)
I27 Sch. 5 para. 9 in force at 6.9.1999 for specified purposes by S.I. 1999/2422, art. 2(c), **Sch. 1** (with art. 4, Sch. 14)

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