

Status: Point in time view as at 16/11/2023.

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SCHEDULES

SCHEDULE 1

Sections 5(3) and 7(7).

APPEAL TRIBUNALS: SUPPLEMENTARY PROVISIONS

Tenure of office

- 1 (1) Subject to the following provisions of this paragraph, the President of appeal tribunals shall hold and vacate office in accordance with the terms of his appointment.
- (2) The President shall vacate his office on the day on which he attains the age of ^[F2]75.
- (3) The President may be removed from office by the Lord Chancellor^[F3], with the concurrence of the Lord Chief Justice and the Lord President of the Court of Session,] on the ground of incapacity or misbehaviour.
- (4) Where the Lord Chancellor proposes to exercise a power conferred on him by subparagraph (3) above, it shall be his duty to consult the Lord Advocate with respect to the proposal.

Textual Amendments

- F2** Word in Sch. 1 para. 1(2) substituted (10.3.2022) by [Public Service Pensions and Judicial Offices Act 2022 \(c. 7\), s. 131\(1\)\(4\)\(a\), Sch. 1 para. 30\(2\)](#) (with Sch. 1 para. 43)
- F3** Words in Sch. 1 para. 1(3) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\), s. 148\(1\), Sch. 4 para. 273](#); S.I. 2006/1014, art. 2(a), Sch. 1 para. 11(v)

Modifications etc. (not altering text)

- C1** Sch. 1 para. 1(4): functions of Lord Advocate transferred (19.5.1999) by [The Transfer of Functions \(Lord Advocate and Secretary of State\) Order 1999 \(S.I. 1999/678\), arts. 1, 2\(1\), Sch.](#)
- C2** Sch. 1 para. 1(4): functions treated as exercisable in or as regards Scotland (30.6.1999) by [The Scotland Act 1998 \(Functions Exercisable in or as Regards Scotland\) Order 1999 \(S.I. 1999/1748\), arts. 1, 3, Sch. 1 para. 19](#)
- C3** Sch. 1 para. 1(4): functions transferred in relation to Scotland (1.7.1999) by [The Scotland Act 1998 \(Transfer of Functions to the Scottish Ministers etc.\) Order 1999 \(S.I. 1999/1750\), arts. 1\(1\), 2, Sch. 1 \(with art. 7\); S.I. 1998/3178, art. 3](#)

Commencement Information

- I1** Sch. 1 para. 1 in force at 1.6.1999 by [S.I. 1999/1510, art. 2\(c\)](#) (with arts. 48-51)

Remuneration etc.

- 2 The Secretary of State may pay, or make such payments towards the provision of, such remuneration, pensions or allowances to or in respect of the President as he may determine.

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Commencement Information

I2 Sch. 1 para. 2 in force at 1.6.1999 by [S.I. 1999/1510](#), [art. 2\(c\)](#) (with [arts. 48-51](#))

- 3 The Secretary of State may pay, or make such payments towards the provision of, such remuneration, pensions or allowances to or in respect of any person appointed under this Chapter to act as a member of an appeal tribunal, or as an expert to such a tribunal, as he may determine.

Commencement Information

I3 Sch. 1 para. 3 in force at 1.6.1999 by [S.I. 1999/1510](#), [art. 2\(c\)](#) (with [arts. 48-51](#))

- 4 (1) The Secretary of State may pay—
- (a) to any person required to attend at any proceedings under section 12 of this Act^{F4}, section 20 of the Child Support Act or paragraph 6 of Schedule 7 to the Child Support, Pensions and Social Security Act 2000]; or
 - (b) to any person required under this Part (whether for the purposes of this Part or otherwise) to attend for or to submit himself to medical or other examination or treatment,
- such travelling and other allowances as he may determine.
- (2) In this paragraph references to travelling and other allowances include references to compensation for loss of remunerative time but such compensation shall not be paid to any person in respect of any time during which he is in receipt of remuneration under paragraph 3 above.

Textual Amendments

F4 Words in Sch. 1 para. 4(1)(a) substituted (2.7.2001) by [Child Support, Pensions and Social Security Act 2000 \(c. 19\)](#), s. 86(1)(c)(2), [Sch. 7 para. 22\(2\)](#) (with s. 83(6)); [S.I. 2001/1252](#), [art. 2\(2\)\(a\)\(v\)](#)

Commencement Information

I4 Sch. 1 para. 4 in force at 1.6.1999 by [S.I. 1999/1510](#), [art. 2\(c\)](#) (with [arts. 48-51](#))

- 5 (1) Subject to sub-paragraph (2) below, the Secretary of State may pay such other expenses in connection with the work of any person or tribunal appointed or constituted under any provision of this Part as he may determine.
- (2) Expenses are not payable under sub-paragraph (1) above in connection with the work of a tribunal presided over by a Social Security Commissioner.

Commencement Information

I5 Sch. 1 para. 5 in force at 1.6.1999 by [S.I. 1999/1510](#), [art. 2\(c\)](#) (with [arts. 48-51](#))

Officers and staff

- 6 The Secretary of State may appoint such officers and staff as he thinks fit for the President and for appeal tribunals.

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Modifications etc. (not altering text)

- C4** Sch. 1 para. 6 extended (temp.) (27.5.1999) by [The Social Security Act 1998 \(Commencement No. 7 and Consequential and Transitional Provisions\) Order 1999 \(S.I. 1999/1510\)](#), **art. 50**

Commencement Information

- I6** Sch. 1 para. 6 in force at 1.6.1999 by [S.I. 1999/1510](#), **art. 2(c)** (with [arts. 48-51](#))

Functions of President

- 7 The President shall ensure that appropriate steps are taken by an appeal tribunal to secure the confidentiality, in such circumstances as may be prescribed, of any prescribed material or any prescribed classes or categories of material.

Modifications etc. (not altering text)

- C5** Sch. 1 para. 7 applied (with modifications) (25.2.2005) by [The Child Trust Funds \(Non-tax Appeals\) Regulations 2005 \(S.I. 2005/191\)](#), [regs. 1\(1\), 5](#)

Commencement Information

- I7** Sch. 1 para. 7 in force at 4.3.1999 for specified purposes by [S.I. 1999/528](#), **art. 2(a)**, **Sch.**
I8 Sch. 1 para. 7 in force at 1.6.1999 in so far as not already in force by [S.I. 1999/1510](#), **art. 2(c)** (with [arts. 48-51](#))

- 8 (1) The President shall, after the requisite consultation, arrange such training for persons appointed to the panel constituted under section 6 above as he considers appropriate.
- (2) In sub-paragraph (1) above “the requisite consultation” means—
- (a) except in the case of medical practitioners, consultation with the Secretary of State;
 - (b) in the case of such practitioners, consultation with the Chief Medical Officers of the Department of Health, the Welsh Office and the Scottish Office.

Commencement Information

- I9** Sch. 1 para. 8 in force at 1.6.1999 by [S.I. 1999/1510](#), **art. 2(c)** (with [arts. 48-51](#))

- 9 The President shall supply the Secretary of State with such reports and other information with respect to the carrying out of the functions of appeal tribunals as the Secretary of State may require.

Commencement Information

- I10** Sch. 1 para. 9 in force at 1.6.1999 by [S.I. 1999/1510](#), **art. 2(c)** (with [arts. 48-51](#))

- 10 Each year the President shall make to the Secretary of State [^{F5}and the Child Maintenance and Enforcement Commission] a written report, based on the cases coming before appeal tribunals, on the standards achieved by the Secretary of State [^{F5}and the Child Maintenance and Enforcement Commission] in the making of

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decisions against which an appeal lies to an appeal tribunal; and the Secretary of State shall publish the report.

Textual Amendments

- F5** Words in Sch. 1 para. 10 inserted (1.11.2008) by [Child Maintenance and Other Payments Act 2008 \(c. 6\)](#), s. 62(3), **Sch. 3 para. 54**; S.I. 2008/2675, art. 3(b)

Commencement Information

- I11** Sch. 1 para. 10 in force at 31.3.2000 by [S.I. 1999/3178](#), **art. 2(3)** (with [art. 4](#), [Schs. 21-23](#))

Clerks to appeal tribunals

- 11 The Secretary of State may by regulations provide—
- (a) for clerks to be assigned to service appeal tribunals; and
 - (b) for clerks so assigned to be responsible for summoning members of the panel constituted under section 6 above to serve on such tribunals.

Modifications etc. (not altering text)

- C6** Sch. 1 para. 11 applied (with modifications) (25.2.2005) by [The Child Trust Funds \(Non-tax Appeals\) Regulations 2005 \(S.I. 2005/191\)](#), regs. 1(1), 5

Commencement Information

- I12** Sch. 1 para. 11 in force at 4.3.1999 for specified purposes by [S.I. 1999/528](#), **art. 2(a)**, **Sch.**
- I13** Sch. 1 para. 11 in force at 1.6.1999 in so far as not already in force by [S.I. 1999/1510](#), **art. 2(c)** (with [arts. 48-51](#))

Delegation of certain functions of appeal tribunals

- 12 (1) The Secretary of State may by regulations provide—
- (a) for officers authorised by the Secretary of State to make any determinations which fall to be made by an appeal tribunal and which do not involve the determination of any appeal, application for leave to appeal or reference;
 - (b) for the procedure to be followed by such officers in making such determinations;
 - (c) for the manner in which such determinations by such officers may be called in question.
- (2) A determination which would have the effect of preventing an appeal, application for leave to appeal or reference being determined by an appeal tribunal is not a determination of the appeal, application or reference for the purposes of subparagraph (1) above.

Modifications etc. (not altering text)

- C7** Sch. 1 para. 12 applied (with modifications) (25.2.2005) by [The Child Trust Funds \(Non-tax Appeals\) Regulations 2005 \(S.I. 2005/191\)](#), regs. 1(1), 5

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Commencement Information

- I14** Sch. 1 para. 12 in force at 4.3.1999 for specified purposes by [S.I. 1999/528](#), [art. 2\(a\)](#), [Sch.](#)
- I15** Sch. 1 para. 12 in force at 1.6.1999 in so far as not already in force by [S.I. 1999/1510](#), [art. 2\(c\)](#) (with [arts. 48-51](#))

Certificates

- 13 A document bearing a certificate which—
- (a) is signed by a person authorised in that behalf by the Secretary of State; and
 - (b) states that the document, apart from the certificate, is a record of a decision of an appeal tribunal or of an officer of the Secretary of State,
- shall be conclusive evidence of the decision; and a certificate purporting to be so signed shall be deemed to be so signed unless the contrary is proved.]

Commencement Information

- I16** Sch. 1 para. 13 in force at 1.6.1999 by [S.I. 1999/1510](#), [art. 2\(c\)](#) (with [arts. 48-51](#))

SCHEDULE 2

Section 12(1).

DECISIONS AGAINST WHICH NO APPEAL LIES

Jobseeker's allowance for persons under 18

- 1 In relation to a person who has reached the age of 16 but not the age of 18, a decision—
- (a) whether section 16 of the Jobseekers Act is to apply to him; or
 - (b) whether to issue a certificate under section 17(4) of that Act.

Commencement Information

- I17** Sch. 2 para. 1 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** Sch. 2 para. 1 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](#))

Christmas bonus

- 2 A decision whether a person is entitled to payment under section 148 of the Contributions and Benefits Act.

Commencement Information

- I19** Sch. 2 para. 2 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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*Priority between persons entitled to ^{F6}carer's allowance^{F7},
 carer support payment and the carer element of universal credit*

Textual Amendments

- F6** Words in Sch. 2 para. 3 cross-heading substituted (1.9.2002 for specified purposes, 1.4.2003 in so far as not already in force) by [The Regulatory Reform \(Carer's Allowance\) Order 2002 \(S.I. 2002/1457\)](#), art. 1(1)(b), **Sch. para. 3(b)**
- F7** Words in Sch. 2 para. 3 cross-heading inserted (16.11.2023) by [The Carer's Assistance \(Carer Support Payment\) \(Scotland\) Regulations 2023 \(Consequential Modifications\) Order 2023 \(S.I. 2023/1214\)](#), art. 1(2), **reg. 6(2)(a)**

- ^{F8}3 A decision as to whether a person has entitlement under section 70(7ZA), (7ZC) or (7ZE) of the Contributions and Benefits Act.]

Textual Amendments

- F8** [Sch. 2 para. 3](#) substituted (16.11.2023) by [The Carer's Assistance \(Carer Support Payment\) \(Scotland\) Regulations 2023 \(Consequential Modifications\) Order 2023 \(S.I. 2023/1214\)](#), art. 1(2), **reg. 6(2)(b)**

Commencement Information

- I20** Sch. 2 para. 3 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](#))
- I21** Sch. 2 para. 3 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](#))

Priority between persons entitled to child benefit

- 4 A decision as to the exercise of the discretion under paragraph 5 of Schedule 10 to the Contributions and Benefits Act.

Commencement Information

- I22** Sch. 2 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](#))
- I23** Sch. 2 para. 4 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](#))

Persons treated as if present in Great Britain

- 5 A decision whether to certify, in accordance with regulations made under section 64(1), 71(6), 113(1) or 119 of the Contributions and Benefits Act, that it is consistent with the proper administration of that Act to treat a person as though he were present in Great Britain.

Commencement Information

- I24** Sch. 2 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](#))

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- I25** Sch. 2 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)
- I26** Sch. 2 para. 5 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)
- I27** Sch. 2 para. 5 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)

[^{F9}Work-focused interviews

Textual Amendments

- F9** Sch. 2 para. 5A and cross-heading inserted (11.11.1999) by Welfare Reform and Pensions Act 1999 (c. 30), s. 89(4)(e), **Sch. 12 para. 87**

- 5A** A decision terminating or reducing the amount of a person's benefit made in consequence of any decision made under regulations under section 2A [^{F10}or 2AA] of the Administration Act (work-focused interviews).]

Textual Amendments

- F10** Words in Sch. 2 para. 5A inserted (5.7.2003) by Employment Act 2002 (c. 22), s. 55(2), **Sch. 7 para. 51**; S.I. 2003/1666, art. 2(b)

Alteration of rates of benefit

- 6** A decision as to the amount of benefit to which a person is entitled, where it appears to the Secretary of State that the amount is determined by—
- (a) the rate of benefit provided for by law; or
 - (b) an alteration of a kind referred to in—
 - (i) section 159(1)(b) of the Administration Act (income support); ^{F11}...
 - (ii) section 159A(1)(b) of that Act (jobseeker's allowance); ^{F12}...
 - [^{F13}(iii) section 159B(1)(b) of that Act (state pension credit)] [^{F14}, or
 - (iv) section 159C(1)(b) of that Act (employment and support allowance)]; [^{F15}or
 - (v) section 159D(1)(b) of that Act (universal credit).]

Textual Amendments

- F11** Word in Sch. 2 para. 6(b) repealed (6.10.2003) by State Pension Credit Act 2002 (c. 16), s. 22(3), **Sch. 3**; S.I. 2003/1766, art. 2(a)
- F12** Word in Sch. 2 para. 6(b) repealed (27.10.2008) by Welfare Reform Act 2007 (c. 5), s. 70(1), **Sch. 8**; S.I. 2008/787, art. 2(4)(g)
- F13** Sch. 2 para. 6(b)(iii) and preceding word 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. 11**; S.I. 2002/1691, art. 2(i); S.I. 2003/1766, art. 2(a)
- F14** Sch. 2 para. 6(b)(iv) and preceding word inserted (27.10.2008) by Welfare Reform Act 2007 (c. 5), s. 70(2), **Sch. 3 para. 17(8)**; S.I. 2008/787, art. 2(4)(f)

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- F15** Sch. 2 para. 6(b)(v) and preceding word inserted (29.4.2013) by Welfare Reform Act 2012 (c. 5), s. 150(3), **Sch. 2 para. 50(2)**; S.I. 2013/983, art. 3(1)(b)(iii)

Commencement Information

- I28** Sch. 2 para. 6(a) 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)
- I29** Sch. 2 para. 6(a) in force at 6.9.1999 for specified purposes by S.I. 1999/2422, art. 2(c), **Sch. 1** (with art. 4, Sch. 14)
- I30** Sch. 2 para. 6(a) in force at 5.10.1999 for specified purposes by S.I. 1999/2739, art. 2, **Sch. 1** (with art. 3, Sch. 2)
- I31** Sch. 2 para. 6(a)(b)(ii) 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)
- I32** Sch. 2 para. 6 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)

Increases in income support due to attainment of particular ages

- 7 A decision as to the amount of benefit to which a person is entitled, where it appears to the Secretary of State that the amount is determined by the recipient's entitlement to an increased amount of income support or income-based jobseeker's allowance in the circumstances referred to in section 160(2) or 160A(2) of the Administration Act.

Commencement Information

- I33** Sch. 2 para. 7 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)
- I34** Sch. 2 para. 7 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)

[^{F16}Reduction in accordance with reduced benefit decision

Textual Amendments

- F16** Sch. 2 para. 8 and cross-heading substituted (3.3.2003 for specified purposes) by Child Support, Pensions and Social Security Act 2000 (c. 19), s. 86(1)(a)(2), **Sch. 3 para. 15(2)** (with s. 83(6)); S.I. 2003/192, art. 3, Sch.

- 8 A decision to reduce the amount of a person's benefit in accordance with a reduced benefit decision (within the meaning of section 46 of the Child Support Act.)]

[^{F17}Reduction on application of benefit cap

Textual Amendments

- F17** Sch. 2 para. 8A and cross-heading inserted (15.4.2013) by Welfare Reform Act 2012 (c. 5), **ss. 97(6)**, 150(3); S.I. 2012/2946, art. 2(4)

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- 8A A decision to apply the benefit cap in accordance with regulations under section 96 of the Welfare Reform Act 2012.]

Power to prescribe other decisions

- 9 Such other decisions as may be prescribed.

Commencement Information

- I35** Sch. 2 para. 9 in force at 4.3.1999 for specified purposes by S.I. 1999/528, art. 2(a), **Sch.**
- I36** Sch. 2 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)
- I37** Sch. 2 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)
- I38** Sch. 2 para. 9 in force at 5.10.1999 for specified purposes by S.I. 1999/2739, art. 2, **Sch. 1** (with art. 3, Sch. 2)
- I39** Sch. 2 para. 9 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)
- I40** Sch. 2 para. 9 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)

SCHEDULE 3

Section 12(1).

DECISIONS AGAINST WHICH AN APPEAL LIES

PART I

BENEFIT DECISIONS

Entitlement to benefit without a claim

- 1 In such cases or circumstances as may be prescribed, a decision whether a person is entitled to a relevant benefit for which no claim is required.

Commencement Information

- I41** Sch. 3 para. 1 in force at 4.3.1999 for specified purposes by S.I. 1999/528, art. 2(a), **Sch.**
- I42** Sch. 3 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)
- I43** Sch. 3 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)
- I44** Sch. 3 para. 1 in force at 5.10.1999 for specified purposes by S.I. 1999/2739, art. 2, **Sch. 1** (with art. 3, Sch. 2)
- I45** Sch. 3 para. 1 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)
- I46** Sch. 3 para. 1 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)

- 2 If so, a decision as to the amount to which he is entitled.

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- I47** Sch. 3 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)
- I48** Sch. 3 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)
- I49** Sch. 3 para. 2 in force at 5.10.1999 for specified purposes by S.I. 1999/2739, art. 2, **Sch. 1** (with art. 3, Sch. 2)
- I50** Sch. 3 para. 2 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)
- I51** Sch. 3 para. 2 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)

Payability of benefit

- 3 A decision whether a relevant benefit (or a component of a relevant benefit) to which a person is entitled is not payable by reason of—
- (a) any provision of the Contributions and Benefits Act by which the person is disqualified for receiving benefit;
 - (b) regulations made under section 72(8) of that Act (disability living allowance);
 - (c) regulations made under section 113(2) of that Act (suspension of payment); or
 - ^{F18}(d)
 - ^{F18}(da)
 - ^{F19}(e)
 - ^{F20}(f) section [^{F21}6B,] 7, 8 or 9 of the Social Security Fraud Act 2001]; ^{F22} ...
 - ^{F23}(g) section 18 of the Welfare Reform Act 2007];
 - ^{F24}(h) regulations made under section 85(1) or 86(1) of the Welfare Reform Act 2012;
 - (i) section 87 of that Act.]

Textual Amendments

- F18** Sch. 3 para. 3(d)(da) repealed (22.10.2012) by Welfare Reform Act 2012 (c. 5), ss. 46(4), 150(3); S.I. 2012/2530, art. 2(2)(c)
- F19** Sch. 3 para. 3(e) repealed (22.3.2010) by Welfare Reform Act 2009 (c. 24), s. 61(3), **Sch. 7 Pt. 3**; S.I. 2010/293, art. 2(3)(b) (with art. 2(4))
- F20** Sch. 3 para. 3(f) and preceding word inserted (1.4.2002) by Social Security Fraud Act 2001 (c. 11), ss. 12(2), 20(1); S.I. 2001/3689, art. 2(2)
- F21** Word in Sch. 3 para. 3(f) inserted (12.1.2010 for specified purposes, 1.4.2010 in so far as not already in force) by Welfare Reform Act 2009 (c. 24), s. 61(3), **Sch. 4 para. 10**; S.I. 2010/45, art. 2(1)(2)
- F22** Word in Sch. 3 para. 3 repealed (8.4.2013 for specified purposes, 10.6.2013 in so far as not already in force) by Welfare Reform Act 2012 (c. 5), s. 150(3), **Sch. 9 para. 43(a)**; S.I. 2013/358, art. 7(1)(2)(k), Sch. 3; S.I. 2013/1250, art. 2
- F23** Sch. 3 para. 3(g) and preceding word inserted (27.10.2008) by Welfare Reform Act 2007 (c. 5), s. 70(2), **Sch. 3 para. 17(9)**; S.I. 2008/787, art. 2(4)(f)

Status: Point in time view as at 16/11/2023.

Changes to legislation: Social Security Act 1998 is up to date with all changes known to be in force on or before 21 June 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)

F24 Sch. 3 para. 3(h)(i) inserted (8.4.2013 for specified purposes, 10.6.2013 in so far as not already in force) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(3), [Sch. 9 para. 43\(b\)](#); [S.I. 2013/358](#), art. 7(1)(2)(k), [Sch. 3](#); [S.I. 2013/1250](#), art. 2

Commencement Information

I52 Sch. 3 para. 3(a)(c) 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](#))

I53 Sch. 3 para. 3(a)(c) in force at 6.9.1999 for specified purposes by [S.I. 1999/2422](#), art. 2(c), [Sch. 1](#) (with [art. 4](#), [Sch. 14](#))

I54 Sch. 3 para. 3(a)(c) in force at 5.10.1999 for specified purposes by [S.I. 1999/2739](#), art. 2, [Sch. 1](#) (with [art. 3](#), [Sch. 2](#))

I55 Sch. 3 para. 3 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](#))

I56 Sch. 3 para. 3 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](#))

[^{F25}3A A decision as to the amount of a relevant benefit that is payable to a person by virtue of regulations under section 6B, 7, 8 or 9 of the Social Security Fraud Act 2001.]

Textual Amendments

F25 Sch. 3 para. 3A inserted (1.4.2013) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(3), [Sch. 2 para. 51](#); [S.I. 2013/358](#), art. 6(4)(d)(i)

Payments to third parties

4 Except in such cases or circumstances as may be prescribed, a decision whether the whole or part of a benefit to which a person is entitled is, by virtue of regulations, to be paid to a person other than him.

Commencement Information

I57 Sch. 3 para. 4 in force at 4.3.1999 for specified purposes by [S.I. 1999/528](#), art. 2(a), [Sch.](#)

I58 Sch. 3 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](#))

I59 Sch. 3 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](#))

I60 Sch. 3 para. 4 in force at 5.10.1999 for specified purposes by [S.I. 1999/2739](#), art. 2, [Sch. 1](#) (with [art. 3](#), [Sch. 2](#))

I61 Sch. 3 para. 4 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](#))

I62 Sch. 3 para. 4 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](#))

Recovery of benefits

5 A decision whether payment is recoverable under section 71 or 71A of the Administration Act.

Status: Point in time view as at 16/11/2023.

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Commencement Information

- I63** Sch. 3 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](#))
- I64** Sch. 3 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](#))
- I65** Sch. 3 para. 5 in force at 5.10.1999 for specified purposes by [S.I. 1999/2739](#), [art. 2](#), **Sch. 1** (with [art. 3](#), [Sch. 2](#))
- I66** Sch. 3 para. 5 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](#))
- I67** Sch. 3 para. 5 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](#))

6 If so, a decision as to the amount of payment recoverable.

Commencement Information

- I68** Sch. 3 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](#))
- I69** Sch. 3 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](#))
- I70** Sch. 3 para. 6 in force at 5.10.1999 for specified purposes by [S.I. 1999/2739](#), [art. 2](#), **Sch. 1** (with [art. 3](#), [Sch. 2](#))
- I71** Sch. 3 para. 6 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](#))
- I72** Sch. 3 para. 6 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](#))

[^{F26}6A A decision as to whether payment of housing credit (within the meaning of the State Pension Credit Act 2002) is recoverable under section 71ZB of the Administration Act.]

Textual Amendments

- F26** Sch. 3 paras. 6A, 6B inserted (29.4.2013 for the insertion of Sch. 3 para. 6B) by [Welfare Reform Act 2012 \(c. 5\)](#), [ss. 105\(7\)](#), [150\(3\)](#); [S.I. 2013/358](#), [art. 5\(2\)\(3\)\(c\)](#)

[^{F26}6B A decision as to the amount of payment recoverable under section 71ZB, 71ZG or 71ZH of the Administration Act.]

Textual Amendments

- F26** Sch. 3 paras. 6A, 6B inserted (29.4.2013 for the insertion of Sch. 3 para. 6B) by [Welfare Reform Act 2012 \(c. 5\)](#), [ss. 105\(7\)](#), [150\(3\)](#); [S.I. 2013/358](#), [art. 5\(2\)\(3\)\(c\)](#)

Status: Point in time view as at 16/11/2023.

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[^{F27}State pension: prisoners and overseas residents

Textual Amendments

F27 Sch. 3 paras. 6C, 6D and cross-heading inserted (6.4.2016) by [Pensions Act 2014 \(c. 19\)](#), s. 56(4), [Sch. 12 para. 37](#)

- 6C A decision that a state pension under Part 1 of the Pensions Act 2014 is not payable by reason of regulations under section 19 of that Act (prisoners).
- 6D A decision that a person is not entitled to increases in the rate of a state pension under Part 1 of the Pensions Act 2014 by reason of regulations under section 20 of that Act (overseas residents).]

Industrial injuries benefit

- 7 A decision whether an accident was an industrial accident for the purposes of industrial injuries benefit.

Commencement Information

- I73** Sch. 3 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](#))
- I74** Sch. 3 para. 7 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](#))

[^{F28}Jobseekers' agreements

Textual Amendments

F28 Sch. 3 para. 8 and cross-heading repealed (29.4.2013 for specified purposes and subsequently on the days on which and for the purposes for which "the amending provisions" are brought into force by secondary legislation) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(3), [Sch. 14 Pt. 4](#); [S.I. 2013/983](#), art. 7(1)(e) (with [art. 7\(2\)](#)) (as amended (1.7.2013) by [S.I. 2013/1511](#), art. 6)

- 8 A decision in relation to a jobseeker's agreement as proposed to be made under section 9 of the Jobseekers Act, or as proposed to be varied under section 10 of that Act.]

Commencement Information

- I75** Sch. 3 para. 8 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](#))
- I76** Sch. 3 para. 8 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](#))

Status: Point in time view as at 16/11/2023.

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[^{F29}State pension credit

Textual Amendments

F29 Sch. 3 paras. 8A-8D and cross-heading inserted (2.7.2002 for specified purposes, 7.4.2003 in so far as not already in force) by [State Pension Credit Act 2002 \(c. 16\)](#), s. 22(3), [Sch. 1 para. 12](#); S.I. 2002/1691, art. 2(i); S.I. 2003/966, art. 2(a)

- 8A A decision whether to specify a period as an assessed income period under section 6 of the State Pension Credit Act 2002.
- 8B If so, a decision as to the period to be so specified.
- 8C A decision whether an assessed income period comes to an end by virtue of section 9(4) or (5) of that Act.
- 8D If so, a decision as to when the assessed income period so ends.]

Power to prescribe other decisions

- 9 Such other decisions relating to a relevant benefit as may be prescribed.

Commencement Information

- I77** Sch. 3 para. 9 in force at 4.3.1999 for specified purposes by [S.I. 1999/528](#), art. 2(a), [Sch.](#)
- I78** Sch. 3 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](#))
- I79** Sch. 3 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](#))
- I80** Sch. 3 para. 9 in force at 5.10.1999 for specified purposes by [S.I. 1999/2739](#), art. 2, [Sch. 1](#) (with [art. 3](#), [Sch. 2](#))
- I81** Sch. 3 para. 9 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](#))
- I82** Sch. 3 para. 9 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](#))

PART II

CONTRIBUTIONS DECISIONS

Categorisation of earners

^{F30}10

Textual Amendments

F30 Sch. 3 paras. 10-15 repealed (1.4.1999) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\)](#), s. 28(3), [Sch. 7 para. 36](#), [Sch. 10 Pt. I](#) (with [Sch. 8](#)); S.I. 1999/527, art. 2(b), [Sch. 2](#) (with [arts. 3-6](#))

^{F30}11

Status: Point in time view as at 16/11/2023.

Changes to legislation: Social Security Act 1998 is up to date with all changes known to be in force on or before 21 June 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)

Textual Amendments

F30 Sch. 3 paras. 10-15 repealed (1.4.1999) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\)](#), s. 28(3), Sch. 7 para. 36, **Sch. 10 Pt. I** (with Sch. 8); S.I. 1999/527, art. 2(b), Sch. 2 (with arts. 3-6)

Compulsory contributions

F30 12

Textual Amendments

F30 Sch. 3 paras. 10-15 repealed (1.4.1999) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\)](#), s. 28(3), Sch. 7 para. 36, **Sch. 10 Pt. I** (with Sch. 8); S.I. 1999/527, art. 2(b), Sch. 2 (with arts. 3-6)

F30 13

Textual Amendments

F30 Sch. 3 paras. 10-15 repealed (1.4.1999) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\)](#), s. 28(3), Sch. 7 para. 36, **Sch. 10 Pt. I** (with Sch. 8); S.I. 1999/527, art. 2(b), Sch. 2 (with arts. 3-6)

Voluntary contributions

F30 14

Textual Amendments

F30 Sch. 3 paras. 10-15 repealed (1.4.1999) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\)](#), s. 28(3), Sch. 7 para. 36, **Sch. 10 Pt. I** (with Sch. 8); S.I. 1999/527, art. 2(b), Sch. 2 (with arts. 3-6)

F30 15

Textual Amendments

F30 Sch. 3 paras. 10-15 repealed (1.4.1999) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\)](#), s. 28(3), Sch. 7 para. 36, **Sch. 10 Pt. I** (with Sch. 8); S.I. 1999/527, art. 2(b), Sch. 2 (with arts. 3-6)

Responsibilities at home

16 A decision whether a person was (within the meaning of regulations) precluded from regular employment by responsibilities at home.

Status: Point in time view as at 16/11/2023.

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Commencement Information

- I83** Sch. 3 para. 16 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)
- I84** Sch. 3 para. 16 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)

Earnings and contributions credits

- 17 A decision whether a person is entitled to be credited with earnings or contributions in accordance with regulations made under section 22(5) [^{F31}or (5ZA)] of the Contributions and Benefits Act.

Textual Amendments

- F31** Words in Sch. 3 para. 17 inserted (16.9.2016) by The Pensions Act 2014 (Consequential Amendments) Order 2016 (S.I. 2016/931), arts. 1, 3

Commencement Information

- I85** Sch. 3 para. 17 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)
- I86** Sch. 3 para. 17 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)

Statutory sick pay

- ^{F32}18

Textual Amendments

- F32** Sch. 3 paras. 18-29 repealed (1.4.1999 except in respect of the repeal of Sch. 3 para. 23, 5.7.1999 in so far as not already in force) by Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2), s. 28(3), Sch. 7 para. 36, **Sch. 10 Pt. 1** (with Sch. 8); S.I. 1999/527, art. 2(b), Sch. 2 (with arts. 3-6); S.I. 1999/1662, art. 2(b), Sch. Pt. 2 (with art. 4)

- ^{F32}19

Textual Amendments

- F32** Sch. 3 paras. 18-29 repealed (1.4.1999 except in respect of the repeal of Sch. 3 para. 23, 5.7.1999 in so far as not already in force) by Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2), s. 28(3), Sch. 7 para. 36, **Sch. 10 Pt. 1** (with Sch. 8); S.I. 1999/527, art. 2(b), Sch. 2 (with arts. 3-6); S.I. 1999/1662, art. 2(b), Sch. Pt. 2 (with art. 4)

Statutory maternity pay

- ^{F32}20

Status: Point in time view as at 16/11/2023.

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Textual Amendments

F32 Sch. 3 paras. 18-29 repealed (1.4.1999 except in respect of the repeal of Sch. 3 para. 23, 5.7.1999 in so far as not already in force) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\)](#), s. 28(3), Sch. 7 para. 36, **Sch. 10 Pt. I** (with Sch. 8); S.I. 1999/527, art. 2(b), Sch. 2 (with arts. 3-6); S.I. 1999/1662, art. 2(b), Sch. Pt. 2 (with art. 4)

F3221

Textual Amendments

F32 Sch. 3 paras. 18-29 repealed (1.4.1999 except in respect of the repeal of Sch. 3 para. 23, 5.7.1999 in so far as not already in force) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\)](#), s. 28(3), Sch. 7 para. 36, **Sch. 10 Pt. I** (with Sch. 8); S.I. 1999/527, art. 2(b), Sch. 2 (with arts. 3-6); S.I. 1999/1662, art. 2(b), Sch. Pt. 2 (with art. 4)

Liability of directors etc. for company's contributions

F3222

Textual Amendments

F32 Sch. 3 paras. 18-29 repealed (1.4.1999 except in respect of the repeal of Sch. 3 para. 23, 5.7.1999 in so far as not already in force) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\)](#), s. 28(3), Sch. 7 para. 36, **Sch. 10 Pt. I** (with Sch. 8); S.I. 1999/527, art. 2(b), Sch. 2 (with arts. 3-6); S.I. 1999/1662, art. 2(b), Sch. Pt. 2 (with art. 4)

Preserved rights to benefit etc.

F3223

Textual Amendments

F32 Sch. 3 paras. 18-29 repealed (1.4.1999 except in respect of the repeal of Sch. 3 para. 23, 5.7.1999 in so far as not already in force) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\)](#), s. 28(3), Sch. 7 para. 36, **Sch. 10 Pt. I** (with Sch. 8); S.I. 1999/527, art. 2(b), Sch. 2 (with arts. 3-6); S.I. 1999/1662, art. 2(b), Sch. Pt. 2 (with art. 4)

Employment of long-term unemployed

F3224

Textual Amendments

F32 Sch. 3 paras. 18-29 repealed (1.4.1999 except in respect of the repeal of Sch. 3 para. 23, 5.7.1999 in so far as not already in force) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\)](#), s. 28(3), Sch. 7 para. 36, **Sch. 10 Pt. I** (with Sch. 8); S.I. 1999/527, art. 2(b), Sch. 2 (with arts. 3-6); S.I. 1999/1662, art. 2(b), Sch. Pt. 2 (with art. 4)

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Interest and penalties

F3225

Textual Amendments

F32 Sch. 3 paras. 18-29 repealed (1.4.1999 except in respect of the repeal of Sch. 3 para. 23, 5.7.1999 in so far as not already in force) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\)](#), s. 28(3), Sch. 7 para. 36, **Sch. 10 Pt. I** (with Sch. 8); S.I. 1999/527, art. 2(b), Sch. 2 (with arts. 3-6); S.I. 1999/1662, art. 2(b), Sch. Pt. 2 (with art. 4)

F3226

Textual Amendments

F32 Sch. 3 paras. 18-29 repealed (1.4.1999 except in respect of the repeal of Sch. 3 para. 23, 5.7.1999 in so far as not already in force) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\)](#), s. 28(3), Sch. 7 para. 36, **Sch. 10 Pt. I** (with Sch. 8); S.I. 1999/527, art. 2(b), Sch. 2 (with arts. 3-6); S.I. 1999/1662, art. 2(b), Sch. Pt. 2 (with art. 4)

F3227

Textual Amendments

F32 Sch. 3 paras. 18-29 repealed (1.4.1999 except in respect of the repeal of Sch. 3 para. 23, 5.7.1999 in so far as not already in force) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\)](#), s. 28(3), Sch. 7 para. 36, **Sch. 10 Pt. I** (with Sch. 8); S.I. 1999/527, art. 2(b), Sch. 2 (with arts. 3-6); S.I. 1999/1662, art. 2(b), Sch. Pt. 2 (with art. 4)

F3228

Textual Amendments

F32 Sch. 3 paras. 18-29 repealed (1.4.1999 except in respect of the repeal of Sch. 3 para. 23, 5.7.1999 in so far as not already in force) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\)](#), s. 28(3), Sch. 7 para. 36, **Sch. 10 Pt. I** (with Sch. 8); S.I. 1999/527, art. 2(b), Sch. 2 (with arts. 3-6); S.I. 1999/1662, art. 2(b), Sch. Pt. 2 (with art. 4)

Power to prescribe other decisions

F3229

Textual Amendments

F32 Sch. 3 paras. 18-29 repealed (1.4.1999 except in respect of the repeal of Sch. 3 para. 23, 5.7.1999 in so far as not already in force) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\)](#), s. 28(3), Sch. 7 para. 36, **Sch. 10 Pt. I** (with Sch. 8); S.I. 1999/527, art. 2(b), Sch. 2 (with arts. 3-6); S.I. 1999/1662, art. 2(b), Sch. Pt. 2 (with art. 4)

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SCHEDULE 4

Section 14(12).

SOCIAL SECURITY COMMISSIONERS

Appointment

- 1 (1) Her Majesty may from time to time appoint, from among persons who ^{F34}satisfy the judicial-appointment eligibility condition on a 7-year basis or advocates or solicitors in Scotland of at least 7 years' standing]—
- (a) a Chief Social Security Commissioner; and
 - (b) such number of other Social Security Commissioners as Her Majesty thinks fit.
- (2) If the Lord Chancellor considers that, in order to facilitate the disposal of the business of Social Security Commissioners, he should make an appointment in pursuance of this sub-paragraph, he may appoint—
- ^{F35}(a) a person who satisfies the judicial-appointment eligibility condition on a 7-year basis; or
 - (b) an advocate or solicitor in Scotland of at least ^{F36}7 years' standing; or
 - (c) a member of the bar of Northern Ireland or solicitor of the Supreme Court of Northern Ireland of at least ^{F37}7 years' standing,
- to be a Social Security Commissioner (but to be known as a deputy Commissioner) for such period or on such occasions as the Lord Chancellor thinks fit.
- (3) In this paragraph “10 year general qualification” shall be construed in accordance with section 71 of the Courts and Legal Services Act 1990.

Textual Amendments

- F34** Words in Sch. 4 para. 1(1) substituted (21.7.2008) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\), s. 148, Sch. 10 para. 29\(6\)](#); S.I. 2008/1653, art. 2(d) (with arts. 3, 4)
- F35** Sch. 4 para. 1(2)(a) substituted (21.7.2008) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\), s. 148, Sch. 10 para. 29\(7\)\(a\)](#); S.I. 2008/1653, art. 2(d) (with arts. 3, 4)
- F36** Figure in Sch. 4 para. 1(2)(b) substituted (21.7.2008) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\), s. 148, Sch. 10 para. 29\(7\)\(b\)](#); S.I. 2008/1653, art. 2(d) (with arts. 3, 4)
- F37** Figure in Sch. 4 para. 1(2)(c) substituted (21.7.2008) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\), s. 148, Sch. 10 para. 29\(7\)\(b\)](#); S.I. 2008/1653, art. 2(d) (with arts. 3, 4)

Commencement Information

- I87** Sch. 4 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](#))
- I88** Sch. 4 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](#))
- I89** Sch. 4 para. 1 in force at 5.10.1999 for specified purposes by [S.I. 1999/2739, art. 2, Sch. 1](#) (with [art. 3, Sch. 2](#))
- I90** Sch. 4 para. 1 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](#))
- I91** Sch. 4 para. 1 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](#))

Status: Point in time view as at 16/11/2023.

Changes to legislation: Social Security Act 1998 is up to date with all changes known to be in force on or before 21 June 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)

Remuneration etc.

- 2 The Lord Chancellor shall pay to a Commissioner such salary or other remuneration, and such expenses incurred in connection with the work of a Commissioner or any tribunal presided over by a Commissioner, as he may determine.

Commencement Information

- I92** Sch. 4 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)
- I93** Sch. 4 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)
- I94** Sch. 4 para. 2 in force at 5.10.1999 for specified purposes by S.I. 1999/2739, art. 2, **Sch. 1** (with art. 3, Sch. 2)
- I95** Sch. 4 para. 2 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)
- I96** Sch. 4 para. 2 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)

- 3 (1) The Lord Chancellor or, in Scotland, the Secretary of State may pay to any person who attends any proceedings under section 14 of this Act^[F38], under section 6A of the Pensions Appeal Tribunals Act 1943^[F39] or under paragraph 8 of Schedule 7 to the Child Support, Pensions and Social Security Act 2000] such travelling and other allowances as he may determine.
- (2) In this paragraph the reference to travelling and other allowances includes a reference to compensation for loss of remunerative time.

Textual Amendments

- F38** Words in Sch. 4 para. 3(1) inserted (6.4.2005) by Armed Forces (Pensions and Compensation) Act 2004 (c. 32), ss. 7(2), 8; S.I. 2005/356, art. 2(2), Sch. 2
- F39** Words in Sch. 4 para. 3(1) inserted (2.7.2001) by Child Support, Pensions and Social Security Act 2000 (c. 19), s. 86(1)(c)(2), **Sch. 7 para. 22(3)** (with s. 83(6)); S.I. 2001/1252, art. 2(2)(a)(v)

Commencement Information

- I97** Sch. 4 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)
- I98** Sch. 4 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)
- I99** Sch. 4 para. 3 in force at 5.10.1999 for specified purposes by S.I. 1999/2739, art. 2, **Sch. 1** (with art. 3, Sch. 2)
- I100** Sch. 4 para. 3 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)
- I101** Sch. 4 para. 3 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)

Tenure of office

- 4 (1) Commissioners shall vacate their offices on the day on which they attain the age of ^[F40]75].

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- (2) Nothing in sub-paragraph (1) above or in section 13 or 32 of the Judicial Pensions Act 1981 (which relate to pensions for Commissioners) shall apply to a person by virtue of his appointment in pursuance of paragraph 1(2) above.

Textual Amendments

- F40** Word in Sch. 4 para. 4(1) substituted (10.3.2022) by [Public Service Pensions and Judicial Offices Act 2022 \(c. 7\)](#), s. 131(1)(4)(a), [Sch. 1 para. 30\(3\)](#) (with [Sch. 1 para. 43](#))

Commencement Information

- I102** Sch. 4 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](#))
- I103** Sch. 4 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](#))
- I104** Sch. 4 para. 4 in force at 5.10.1999 for specified purposes by [S.I. 1999/2739](#), art. 2, [Sch. 1](#) (with [art. 3](#), [Sch. 2](#))
- I105** Sch. 4 para. 4 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](#))
- I106** Sch. 4 para. 4 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](#))

- 5 (1) A Commissioner may be removed from office by the Lord Chancellor on the ground of incapacity or misbehaviour.

[^{F41}(1A) The Lord Chancellor may remove a person under sub-paragraph (1) only with the concurrence of the appropriate senior judge.

(1B) The appropriate senior judge is the Lord Chief Justice of England and Wales, unless the person exercises functions wholly or mainly in Scotland, in which case it is the Lord President of the Court of Session.]

- (2) Nothing in sub-paragraph (1) above applies to a Commissioner appointed before 23rd May 1980.

Textual Amendments

- F41** Sch. 4 para. 5(1A)(1B) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), s. 148(1), [Sch. 4 para. 274](#); [S.I. 2006/1014](#), art. 2(a), [Sch. 1 para. 11\(v\)](#)

Commencement Information

- I107** Sch. 4 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](#))
- I108** Sch. 4 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](#))
- I109** Sch. 4 para. 5 in force at 5.10.1999 for specified purposes by [S.I. 1999/2739](#), art. 2, [Sch. 1](#) (with [art. 3](#), [Sch. 2](#))
- I110** Sch. 4 para. 5 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](#))
- I111** Sch. 4 para. 5 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](#))

Status: Point in time view as at 16/11/2023.

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Delegation of functions

- 6 The Lord Chancellor may by regulations provide—
- (a) for officers authorised by the Lord Chancellor or, in Scotland, by the Secretary of State to make any determinations which fall to be made by Commissioners;
 - (b) for the procedure to be followed by such officers in making such determinations;
 - (c) for the manner in which such determinations by such officers may be called in question.

Commencement Information

- I112** Sch. 4 para. 6 in force at 4.3.1999 for specified purposes by [S.I. 1999/528](#), [art. 2\(a\)](#), [Sch. 1](#)
- I113** Sch. 4 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](#))
- I114** Sch. 4 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](#))
- I115** Sch. 4 para. 6 in force at 5.10.1999 for specified purposes by [S.I. 1999/2739](#), [art. 2](#), [Sch. 1](#) (with [art. 3](#), [Sch. 2](#))
- I116** Sch. 4 para. 6 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](#))
- I117** Sch. 4 para. 6 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](#))

Certificates

- 7 A document bearing a certificate which—
- (a) is signed by a person authorised in that behalf by the Secretary of State; and
 - (b) states that the document, apart from the certificate, is a record of a decision of a Commissioner,
- shall be conclusive evidence of the decision; and a certificate purporting to be so signed shall be deemed to be so signed unless the contrary is proved.

Commencement Information

- I118** Sch. 4 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](#))
- I119** Sch. 4 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](#))
- I120** Sch. 4 para. 7 in force at 5.10.1999 for specified purposes by [S.I. 1999/2739](#), [art. 2](#), [Sch. 1](#) (with [art. 3](#), [Sch. 2](#))
- I121** Sch. 4 para. 7 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](#))
- I122** Sch. 4 para. 7 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](#))

Status: Point in time view as at 16/11/2023.

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Supplemental

- 8 Where the Lord Chancellor proposes to exercise a power conferred on him by paragraph 1(2), 5(1) or 6 above, it shall be his duty to consult the Lord Advocate with respect to the proposal.]

Modifications etc. (not altering text)

- C9** Sch. 4 para. 8 functions of Lord Advocate transferred (19.5.1999) by [The Transfer of Functions \(Lord Advocate and Secretary of State\) Order 1999 \(S.I. 1999/678\)](#), arts. 1, 2(1), **Sch.**
- C10** Sch. 4 para. 8 functions treated as exercisable in or as regards Scotland (30.6.1999) by [The Scotland Act 1998 \(Functions Exercisable in or as Regards Scotland\) Order 1999 \(S.I. 1999/1748\)](#), arts. 1, 3, **Sch. 1 para. 19**
- C11** Sch. 4 para. 8 functions transferred in relation to Scotland (1.7.1999) by [The Scotland Act 1998 \(Transfer of Functions to the Scottish Ministers etc.\) Order 1999 \(S.I. 1999/1750\)](#), arts. 1(1), 2, **Sch. 1** (with art. 7); S.I. 1998/3178, art. 3

Commencement Information

- I123** Sch. 4 para. 8 in force at 4.3.1999 for specified purposes by S.I. 1999/528, art. 2(a), **Sch.**
- I124** Sch. 4 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)
- I125** Sch. 4 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)
- I126** Sch. 4 para. 8 in force at 5.10.1999 for specified purposes by S.I. 1999/2739, art. 2, **Sch. 1** (with art. 3, Sch. 2)
- I127** Sch. 4 para. 8 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)
- I128** Sch. 4 para. 8 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)

SCHEDULE 5

Section 16(1).

REGULATIONS AS TO PROCEDURE: PROVISION WHICH MAY BE MADE

Modifications etc. (not altering text)

- C12** 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))
- C13** Sch. 5 applied (with modifications) (temp.) (17.12.2002) by [The Tax Credits \(Appeals\) Regulations 2002 \(S.I. 2002/2926\)](#), regs. 1(1)(2), **9**
- C14** Sch. 5 applied (with modifications) (25.2.2005) by [The Child Trust Funds \(Non-tax Appeals\) Regulations 2005 \(S.I. 2005/191\)](#), regs. 1(1), **11**

- 1 Provision prescribing the procedure to be followed in connection with—
- (a) the making of decisions or determinations by the Secretary of State ^[^{F42}], an appeal tribunal or a Commissioner]; and

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- (b) the withdrawal of claims, applications, appeals or references falling to be decided or determined by the Secretary of State [^{F43}, an appeal tribunal or a Commissioner].

Textual Amendments

- F42** Words in Sch. 5 para. 1(a) omitted except in relation to S. for specified purposes (3.11.2008) by virtue of [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 1(1)(5), **Sch. 3 para. 173(a)**
- F43** Words in Sch. 5 para. 1(b) omitted except in relation to S. for specified purposes (3.11.2008) by virtue of [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 1(1)(5), **Sch. 3 para. 173(a)**

Commencement Information

- I129** Sch. 5 para. 1 in force at 4.3.1999 for specified purposes by [S.I. 1999/528](#), art. 2(a), **Sch. 1**
- I130** 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](#))
- I131** 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](#))
- I132** Sch. 5 para. 1 in force at 5.10.1999 for specified purposes by [S.I. 1999/2739](#), art. 2, **Sch. 1** (with art. 3, [Sch. 2](#))
- I133** Sch. 5 para. 1 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](#))
- I134** Sch. 5 para. 1 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](#))

[^{F442} Provision as to the striking out or reinstatement of proceedings.]

Textual Amendments

- F44** Sch. 5 para. 2 omitted except in relation to S. for specified purposes (3.11.2008) by virtue of [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 1(1)(5), **Sch. 3 para. 173(b)**

- 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

- I135** Sch. 5 para. 3 in force at 4.3.1999 for specified purposes by [S.I. 1999/528](#), art. 2(a), **Sch. 1**
- I136** 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](#))
- I137** 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](#))
- I138** Sch. 5 para. 3 in force at 5.10.1999 for specified purposes by [S.I. 1999/2739](#), art. 2, **Sch. 1** (with art. 3, [Sch. 2](#))
- I139** Sch. 5 para. 3 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](#))
- I140** Sch. 5 para. 3 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](#))

- 4 Provision as to the time within which, or the manner in which—
 (a) any evidence is to be produced; or

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(b) any application, reference or appeal is to be made.

Commencement Information

- I141** Sch. 5 para. 4 in force at 4.3.1999 for specified purposes by [S.I. 1999/528](#), [art. 2\(a\)](#), [Sch. 1](#)
- I142** 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](#))
- I143** 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](#))
- I144** Sch. 5 para. 4 in force at 5.10.1999 for specified purposes by [S.I. 1999/2739](#), [art. 2](#), [Sch. 1](#) (with [art. 3](#), [Sch. 2](#))
- I145** Sch. 5 para. 4 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](#))
- I146** Sch. 5 para. 4 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](#))

[^{F455} Provision for summoning persons to attend and give evidence or produce documents and for authorising the administration of oaths to witnesses.]

Textual Amendments

- F45** Sch. 5 paras. 5-8 omitted except in relation to S. for specified purposes (3.11.2008) by virtue of [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), [art. 1\(1\)\(5\)](#), [Sch. 3 para. 173\(b\)](#)

[^{F456} Provision with respect to the procedure to be followed on appeals to and in other proceedings before appeal tribunals.]

Textual Amendments

- F45** Sch. 5 paras. 5-8 omitted except in relation to S. for specified purposes (3.11.2008) by virtue of [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), [art. 1\(1\)\(5\)](#), [Sch. 3 para. 173\(b\)](#)

[^{F457} 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.]

Textual Amendments

- F45** Sch. 5 paras. 5-8 omitted except in relation to S. for specified purposes (3.11.2008) by virtue of [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), [art. 1\(1\)\(5\)](#), [Sch. 3 para. 173\(b\)](#)

[^{F458} 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.]

Textual Amendments

- F45** Sch. 5 paras. 5-8 omitted except in relation to S. for specified purposes (3.11.2008) by virtue of [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), [art. 1\(1\)\(5\)](#), [Sch. 3 para. 173\(b\)](#)

Status: Point in time view as at 16/11/2023.

Changes to legislation: Social Security Act 1998 is up to date with all changes known to be in force on or before 21 June 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)

- 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

- I147** Sch. 5 para. 9 in force at 4.3.1999 for specified purposes by S.I. 1999/528, art. 2(a), **Sch.**
- I148** 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)
- I149** 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)
- I150** Sch. 5 para. 9 in force at 5.10.1999 for specified purposes by S.I. 1999/2739, art. 2, **Sch. 1** (with art. 3, Sch. 2)
- I151** Sch. 5 para. 9 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)
- I152** Sch. 5 para. 9 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)

SCHEDULE 6

Section 83.

TRANSITORY PROVISIONS

Constitution of appeal tribunals

- 1 In relation to any time before the commencement of section 7 of this Act so far as it relates to appeals under section 12 of this Act, section 41 of the Administration Act (constitution of social security appeal tribunals) shall have effect as if—
- (a) in subsection (1), for the words “and two other persons” there were substituted the words “sitting either alone or with one or two other persons”;
 - (b) in subsection (2), for the words “The members other than the chairman” there were substituted the words “Any members other than the chairman”; and
 - (c) for subsection (6) there were substituted the following subsection—

“(6) Where the appeal tribunal hearing a case consists of more than one member it shall, if practicable, include at least one member who is of the same sex as the claimant.”

Claims no longer subsisting after decisions made

- 2 In relation to any time before the commencement of section 8(2) of this Act, section 21 of the Administration Act (decision of adjudication officer) shall have effect as if after subsection (6) there were inserted the following subsection—
- “(7) Where at any time a claim for a benefit to which section 20 above applies is decided by an adjudication officer or by a social security appeal tribunal on a reference by such an officer—
- (a) the claim shall not be regarded as subsisting after that time; and

Status: Point in time view as at 16/11/2023.

Changes to legislation: Social Security Act 1998 is up to date with all changes known to be in force on or before 21 June 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)

- (b) accordingly, the claimant shall not (without making a further claim) be entitled to the benefit on the basis of circumstances not obtaining at that time.”

Appeals to tribunals

- 3 (1) In relation to appeals brought after the passing of this Act and any time before the commencement of section 12(8)(b) of this Act, section 22 of the Administration Act (appeal to social security appeal tribunal) shall have effect as if after subsection (7) there were inserted the following subsection—

“(8) In deciding an appeal under this section, a social security appeal tribunal shall not take into account any circumstances not obtaining at the time when the decision appealed against was made.”

- (2) In relation to such appeals and any such time, section 33 of that Act (appeals following reviews) shall have effect as if after subsection (6) there were inserted the following subsection—

“(7) The tribunal shall not take into account any circumstances not obtaining at the time when the decision appealed against was made.”

Appeals to Commissioners

- 4 (1) In relation to any time before the commencement of section 14(7) of this Act, section 23 of the Administration Act (appeal from social security appeal tribunal to Commissioner) shall have effect as if—

- (a) after subsection (6) there were inserted the following subsection—

“(6A) If each of the principal parties to the appeal expresses the view that the decision appealed against was erroneous in point of law, the Commissioner may set aside the decision and refer the case to a tribunal with directions for its determination.

In this subsection “principal parties” means—

- (a) in a case relating to statutory sick pay or statutory maternity pay, the persons mentioned in subsection (2)(a), (b) and (c) above;
- (b) in any other case—
 - (i) the persons mentioned in subsection (3)(a) and (b) above; and
 - (ii) where applicable, the person mentioned in subsection (3)(d) and such a person as is first mentioned in subsection (4) of that section.”; and
- (b) in subsection (8), for the words “subsection (7)(b) above” there were substituted the words “subsection (6A) or (7)(b) above”.

- (2) In relation to any such time, section 34 of that Act (appeal from social security appeal tribunals or disability appeal tribunals to Commissioners etc.) shall have effect as if, in subsection (4), for the words “(7) to (10) of section 23” there were substituted the words “(6A) to (10) of section 23”.

- (3) In relation to any such time, section 48 of that Act (appeal etc. on question of law to Commissioner) shall have effect as if—

Status: Point in time view as at 16/11/2023.

Changes to legislation: Social Security Act 1998 is up to date with all changes known to be in force on or before 21 June 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) after subsection (4) there were inserted the following subsection—

“(4A) If each of the principal parties to the appeal expresses the view that the decision appealed against was erroneous in point of law, the Commissioner may set aside the decision and refer the case to a medical appeal tribunal with directions for its determination.

In this subsection “principal parties” means the persons mentioned in subsection (1)(a), (b) and (d) above.”; and

- (b) in subsection (6), for the words “subsection (5) above” there were substituted the words “subsection (4A) or (5) above”.

Suspension of benefit in prescribed circumstances

- 5 (1) In relation to any time before the commencement of section 21(2)(d) of this Act, section 5(1) of the Administration Act (regulations about claims for and payments of benefits) shall have effect as if after paragraph (n) there were inserted the following paragraph—

“(nn) for suspending payment, in whole or in part, where an appeal is pending against the decision given in a different case by a social security appeal tribunal, a Commissioner 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 the award in the case itself ought to be revised;”.

- (2) In relation to any such time, paragraph 10(2) of Schedule 1 to the Jobseekers Act (supplementary provisions) shall have effect as if for the words “section 5(1)(n)” there were substituted the words “section 5(1)(n) or (nn)”.

Restrictions on entitlement in certain cases of error

- 6 In relation to applications under section 26(1) or 30 of the Administration Act made after the passing of this Act and any time before the commencement of section 27 above, section 69 of that Act shall have effect as if after subsection (1) there were inserted the following subsection—

“(1A) Where the review under section 25(2) or 30 above was carried out on an application under section 26(1) or (as the case may be) section 30, it is immaterial for the purposes of subsection (1) above whether the application was made before or after the date of the relevant determination.”

Reviews of social fund determinations

- 7 In relation to any time before the commencement of section 38 of this Act, section 66 of the Administration Act (reviews) shall have effect as if—

- (a) after paragraph (a) of subsection (1) there were inserted the following paragraph—

“(aa) may review such a determination on the ground that the person who applied for the payment to which the determination relates misrepresented, or failed to disclose, any material fact; and”;

- (b) after subsection (5) there were inserted the following subsection—

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- “(5A) In making a determination on a review a social fund officer or a social fund inspector need not consider—
- (a) in the case of a determination on a review under subsection (1)(a) above, any issue that is not raised by the application;
 - (b) in the case of a determination on a review under subsection (1)(aa) above, any issue that is not raised by the material fact;
 - (c) in the case of a determination on a review under subsection (1)(b) above, any issue that did not cause him to carry out the review.”;
- (c) for subsection (6) there were substituted the following subsection—
- “(6) In determining a question on a review under subsection (1)(a) or (b) above a social fund officer or social fund inspector shall, subject to subsection (7) below, have regard to whichever of the following are applicable, namely—
- (a) all the circumstances of the case and, in particular, the criteria specified in paragraphs (a) to (e) of subsection (1) of section 140 of the Contributions and Benefits Act;
 - (b) the criteria mentioned in paragraphs (a) and (b) of subsection (1A) of that section; and
 - (c) the criterion specified in directions issued by the Secretary of State under that subsection and the criteria mentioned in paragraph (b) of that subsection.”;
- (d) in subsection (7) of that section, after the word “review” there were inserted the words “under subsection (1)(a) or (b) above”;
- (e) after that subsection there were inserted the following subsections—
- “(7A) In making a determination on a review under subsection (1)(aa) above a social fund officer or a social fund inspector shall—
- (a) act in accordance with any general directions issued by the Secretary of State; and
 - (b) take account of any general guidance issued by the Secretary of State.
- (7B) Any reference in subsection (5A), (6), (7) or (7A) above to a determination on a review under a particular provision of subsection (1) above shall be construed, in relation to a social fund inspector, as a reference to a determination on a further review of a determination which has been reviewed under that provision.”;
- (f) in subsection (9), for the words “this section”, in the first place where they occur, there were substituted the words “subsection (1)(a) or (b) above”; and
- (g) in subsection (10), after the word “determination”, in the first place where it occurs, there were inserted the words “which has been reviewed under subsection (1)(a) or (b) above”.

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Overpayments out of social fund

8 In relation to any time before the commencement of sections 9, 10 and 38 of this Act, section 71ZA of the Administration Act (overpayments out of social fund) shall have effect as if for subsection (2) there were substituted the following subsection—

“(2) Section 71 above as it so applies shall have effect as if the following provisions were omitted, namely—

- (a) in paragraph (a) of subsection (5) and subsection (5A), the words “reversed or varied on an appeal or”;
- (b) in paragraph (b) of subsection (5), the words “appeal or”; and
- (c) subsections (7), (10A) and (10B).”

Child support: appeals to tribunals

9 In relation to appeals brought after the passing of this Act and any time before the commencement of section 42 of this Act, section 20 of the Child Support Act (appeals) shall have effect as if after subsection (4) there were inserted the following subsection—

“(5) In deciding an appeal under this section, the tribunal shall not take into account any circumstances not obtaining at the time when the decision appealed against was made.”

SCHEDULE 7

Section 86(1).

MINOR AND CONSEQUENTIAL AMENDMENTS

Army Act 1955 (c. 18)

1 In section 150A(3) of the Army Act 1955 (enforcement of maintenance assessment by deductions from pay), for the words “a child support officer” there shall be substituted the words “the Secretary of State”.

Commencement Information

I153 Sch. 7 para. 1 in force at 1.6.1999 by [S.I. 1999/1510](#), [art. 2\(g\)\(i\)](#) (with [arts. 48-51](#))

Air Force Act 1955 (c. 19)

2 In section 150A(3) of the Air Force Act 1955 (enforcement of maintenance assessment by deductions from pay), for the words “a child support officer” there shall be substituted the words “the Secretary of State”.

Commencement Information

I154 Sch. 7 para. 2 in force at 1.6.1999 by [S.I. 1999/1510](#), [art. 2\(g\)\(i\)](#) (with [arts. 48-51](#))

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Parliamentary Commissioner Act 1967 (c. 13)

- 3 ^{F46}(1)
- (2) In Schedule 4 to that Act (relevant tribunals for the purposes of section 5(7)) the following entries shall cease to have effect, namely—
- “Tribunals constituted in Great Britain under regulations made under section 4 of the Vaccine Damage Payments Act 1979”;
 - “Child support appeal tribunals constituted under section 21 of the Child Support Act 1991”;
 - “Social security appeal tribunals constituted under section 41 of the Social Security Administration Act 1992”;
 - “Disability appeal tribunals constituted under section 43 of that Act”; and
 - “Medical appeal tribunals constituted under section 50 of that Act”.

Textual Amendments

F46 Sch. 7 para. 3(1) repealed (3.11.2008) by [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 1(1), [Sch. 3 para. 228\(d\)](#)

House of Commons Disqualification Act 1975 (c. 24)

- 4 (1) In Part III of Schedule 1 to the House of Commons Disqualification Act 1975 (other disqualifying offices), in the entry relating to an adjudicating medical practitioner or specially qualified adjudicating medical practitioner, the words “Part II of the Social Security Administration Act 1992 or” shall cease to have effect.
- (2) In that Part of that Schedule, the following entries shall cease to have effect, namely—
- “Regional or other full-time chairman of a child support appeal tribunal established under section 21 of the Child Support Act 1991”;
 - “A regional or other full-time Chairman of Social Security Appeal Tribunals, Medical Appeal Tribunals and Disability Appeal Tribunals”;
 - “Chief Adjudication Officer appointed under section 39 of the Social Security Administration Act 1992”;
 - “Chief Child Support Officer appointed under section 13(3) of the Child Support Act 1991”;
 - “Member of a Medical Appeal Tribunal appointed under section 50 of the Social Security Administration Act 1992”;
 - “Member of a panel appointed under section 6 of the Tribunals and Inquiries Act 1992 of persons to act as chairmen of Child Support Appeal Tribunals”;
 - “Member of a panel appointed under section 6 of the Tribunals and Inquiries Act 1992 of persons to act as chairmen of Social Security Appeal Tribunals, Medical Appeal Tribunals and Disability Appeal Tribunals”;

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“Member of a panel of persons who may be appointed to serve on a Vaccine Damage Tribunal”; and

“President of Social Security Appeal Tribunals, Medical Appeal Tribunals and Disability Appeal Tribunals”.

- (3) In that Part of that Schedule there shall be inserted at the appropriate places the following entries—

“Member of a panel of persons appointed under section 6 of the Social Security Act 1998”;

“President of appeal tribunals (within the meaning of Chapter I of Part I of the Social Security Act 1998) appointed under section 5 of that Act”.

Commencement Information

I155 Sch. 7 para. 4(1)(2) 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)

I156 Sch. 7 para. 4(2) in force at 1.6.1999 for specified purposes by [S.I. 1999/1510](#), art. 2(g)(ii) (with arts. 48-51)

I157 Sch. 7 para. 4(2) 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)

I158 Sch. 7 para. 4(3) in force at 1.6.1999 by [S.I. 1999/1510](#), art. 2(g)(iii) (with arts. 48-51)

Vaccine Damage Payments Act 1979 (c. 17)

- 5 In subsection (4) of section 3 of the Vaccine Damage Payments Act (determination of claims), for the words from “that, if an application” to the end there shall be substituted the words “of the right of appeal conferred by section 4 below”.

Commencement Information

I159 Sch. 7 para. 5 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)

- 6 In section 5 of that Act (reconsideration of determinations and recovery of payments in certain cases), subsections (1) to (3) and (5) shall cease to have effect.

Commencement Information

I160 Sch. 7 para. 6 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)

- 7 (1) In subsection (3) of section 7 of that Act (payments, claims etc. made prior to Act)—
- (a) for the words “section 5 above”, in the first place where they occur, there shall be substituted the words “section 3A above”; and
 - (b) the words from “and in relation to” to the end shall cease to have effect.
- (2) In subsection (4) of that section, for the words “Subsections (4) and (5) of section 5 above” there shall be substituted the words “Section 5(4) above”.

Status: Point in time view as at 16/11/2023.

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Commencement Information

I161 Sch. 7 para. 7 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](#))

8 After section 7A of that Act there shall be inserted the following section—

“7B Finality of decisions

- (1) Subject to the provisions of this Act, any decision made in accordance with the foregoing provisions of this Act shall be final.
- (2) If and to the extent that regulations so provide, any finding of fact or other determination embodied in or necessary to such a decision, or on which such a decision is based, shall be conclusive for the purposes of—
 - (a) further such decisions;
 - (b) decisions made in accordance with sections 8 to 16 of the Social Security Act 1998, or with regulations under section 11 of that Act; and
 - (c) decisions made under the Child Support Act 1991.”

Commencement Information

I162 Sch. 7 para. 8 in force at 4.3.1999 for specified purposes by [S.I. 1999/528](#), [art. 2\(a\)](#), [Sch.](#)

I163 Sch. 7 para. 8 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](#))

9 In subsection (3) of section 8 of that Act (regulations)—

- (a) for the words “a reconsideration under section 5 above”, in both places where they occur, there shall be substituted the words “a decision under section 3A above”; and
- (b) for the words “the tribunals constituted under section 4 above” there shall be substituted the words “appeal tribunals”.

Commencement Information

I164 Sch. 7 para. 9 in force at 4.3.1999 for specified purposes by [S.I. 1999/528](#), [art. 2\(a\)](#), [Sch.](#)

I165 Sch. 7 para. 9 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](#))

10 In section 12 of that Act (financial provisions), subsection (1) shall cease to have effect.

Commencement Information

I166 Sch. 7 para. 10 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](#))

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Forfeiture Act 1982 (c. 34)

F47 11

Textual Amendments

F47 Sch. 7 para. 11 repealed (3.11.2008) by [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 1(1), [Sch. 3 para. 228\(d\)](#)

Debtors (Scotland) Act 1987 (c. 18)

12 In subsection (5)(f) of section 1 (competence of time to pay direction) and subsection (4)(f) of section 5 (competence of time to pay order) of the Debtors (Scotland) Act 1987—

- (a) the word “; or” after sub-paragraph (ii) shall cease to have effect; and
- (b) after sub-paragraph (iii) there shall be inserted the words “or
 - (iv) any amount by way of contributions, or by way of interest or penalty in respect of contributions, certified under section 118(1) of the Social Security Administration Act 1992 as liable to be paid to the Secretary of State.”

Commencement Information

I167 Sch. 7 para. 12 in force at 6.4.1999 by [S.I. 1999/526](#), [art. 2\(3\)\(4\)\(b\)](#)

13 In section 106 of that Act (interpretation), in the definition of “summary warrant”, after paragraph (c) there shall be inserted the following paragraph—
“(cc) section 121B of the Social Security Administration Act 1992;”.

Commencement Information

I168 Sch. 7 para. 13 in force at 6.4.1999 by [S.I. 1999/526](#), [art. 2\(3\)\(4\)\(b\)](#)

14 In paragraph 35 of Schedule 5 to that Act (interpretation), in the definition of “creditor”, after paragraph (d) there shall be inserted the following paragraph—
“(dd) for the purposes of section 121B of the Social Security Administration Act 1992, the Secretary of State;”.

Commencement Information

I169 Sch. 7 para. 14 in force at 6.4.1999 by [S.I. 1999/526](#), [art. 2\(3\)\(4\)\(b\)](#)

Abolition of Domestic Rates Etc. (Scotland) Act 1987 (c. 47)

15 In paragraph 7A of Schedule 2 to the Abolition of Domestic Rates Etc. (Scotland) Act 1987 (recovery of outstanding community charge by deductions from income support or jobseeker’s allowance), for the words “appeals and reviews” in sub-paragraph (2)(a) there shall be substituted the words “appeals to appeal tribunals

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constituted under Chapter I of Part I of the Social Security Act 1998 and decisions under section 9 or 10 of that Act”.

Commencement Information

- I170** Sch. 7 para. 15 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](#))
- I171** Sch. 7 para. 15 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](#))

Income and Corporation Taxes Act 1988 (c. 1)

- 16 In subsection (3) of section 172 of the Income and Corporation Taxes Act 1988 (exceptions from tax)—
- (a) for the words “Class 1 contributions” there shall be substituted the words “secondary Class 1 contributions”; ^{F48} ...
- ^{F48}(b)

Textual Amendments

- F48** Sch. 7 para. 16(b) and preceding word repealed (6.4.2000) by [Welfare Reform and Pensions Act 1999](#) (c. 30), s. 89(3)(c), [Sch. 13 Pt. VI](#); [S.I. 1999/3420](#), [art. 4\(c\)\(e\)](#)

Commencement Information

- I172** Sch. 7 para. 16 in force at 6.4.1999 by [S.I. 1999/418](#), [art. 2\(2\)\(3\)\(a\)](#)

Local Government Finance Act 1988 (c. 41)

- 17 In sub-paragraph (2)(a) of paragraph 6 of Schedule 4 to the Local Government Finance Act 1988 (recovery of outstanding community charge by deductions from income support or jobseeker’s allowance), for the words “appeals and reviews” there shall be substituted the words “appeals to appeal tribunals constituted under Chapter I of Part I of the Social Security Act 1998 and decisions under section 9 or 10 of that Act”.

Commencement Information

- I173** Sch. 7 para. 17 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](#))
- I174** Sch. 7 para. 17 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](#))

Child Support Act 1991 (c. 48)

- 18 In section 2 of the Child Support Act (welfare of children: the general principle), the words “or any child support officer” shall cease to have effect.

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Commencement Information

I175 Sch. 7 para. 18 in force at 1.6.1999 by S.I. 1999/1510, art. 2(g)(iii) (with arts. 48-51)

19 In subsection (4) of section 4 of that Act (child support maintenance), the words “or the child support officer” shall cease to have effect.

Commencement Information

I176 Sch. 7 para. 19 in force at 1.6.1999 by S.I. 1999/1510, art. 2(g)(iii) (with arts. 48-51)

^{F49}20

Textual Amendments

F49 Sch. 7 para. 20 repealed (3.3.2003 for specified purposes) by Child Support, Pensions and Social Security Act 2000 (c. 19), s. 86(1)(e)(2), Sch. 9 Pt. I (with s. 83(6)); S.I. 2003/192, art. 3, Sch.

21 In subsection (5) of section 7 of that Act (right of child in Scotland to apply for assessment), the words “or the child support officer” shall cease to have effect.

Commencement Information

I177 Sch. 7 para. 21 in force at 1.6.1999 by S.I. 1999/1510, art. 2(g)(iii) (with arts. 48-51)

22 In subsections (1) and (2) of section 8 of that Act (role of courts with respect to maintenance for children), for the words “a child support officer” there shall be substituted the words “the Secretary of State”.

Commencement Information

I178 Sch. 7 para. 22 in force at 1.6.1999 by S.I. 1999/1510, art. 2(g)(iii) (with arts. 48-51)

23 (1) In subsection (4) of section 10 of that Act (relationship between maintenance assessments and certain court orders)—
 (a) for the words “the child support officer concerned” there shall be substituted the words “the Secretary of State”; and
 (b) for the words “that officer” there shall be substituted the word “he”.
(2) In subsection (5) of that section, for the words “a child support officer” there shall be substituted the words “an officer of the Secretary of State”.

Commencement Information

I179 Sch. 7 para. 23 in force at 1.6.1999 by S.I. 1999/1510, art. 2(g)(iii) (with arts. 48-51)

^{F50}24

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Textual Amendments

F50 Sch. 7 para. 24 repealed (3.3.2003 for specified purposes) by [Child Support, Pensions and Social Security Act 2000 \(c. 19\)](#), s. 86(1)(e)(2), [Sch. 9 Pt. I](#) (with s. 83(6)); S.I. 2003/192, art. 3, Sch.

^{F51}25

Textual Amendments

F51 Sch. 7 para. 25 repealed (3.3.2003 for specified purposes) by [Child Support, Pensions and Social Security Act 2000 \(c. 19\)](#), s. 86(1)(e)(2), [Sch. 9 Pt. I](#) (with s. 83(6)); S.I. 2003/192, art. 3, Sch.

26 Section 13 of that Act (child support officers) shall cease to have effect.

Commencement Information

I180 Sch. 7 para. 26 in force at 1.6.1999 by [S.I. 1999/1510](#), [art. 2\(g\)\(iii\)](#) (with arts. 48-51)

27 In section 14 of that Act (information required by Secretary of State)—
(a) subsections (2) and (2A) shall cease to have effect; and
(b) in subsection (3), the words “or by child support officers” shall cease to have effect and for the word “them” there shall be substituted the word “him”.

Commencement Information

I181 Sch. 7 para. 27(a) in force at 8.9.1998 by [S.I. 1998/2209](#), [art. 2\(a\)](#), [Sch. Pt. I](#)

I182 Sch. 7 para. 27 in force at 1.6.1999 in so far as not already in force by [S.I. 1999/1510](#), [art. 2\(g\)\(iii\)](#) (with arts. 48-51)

^{F52}28

Textual Amendments

F52 Sch. 7 para. 28 repealed (2.4.2001) by [Child Support, Pensions and Social Security Act 2000 \(c. 19\)](#), s. 86(1)(e)(2), [Sch. 9 Pt. I](#) (with s. 83(6)); S.I. 2001/1252, art. 2(1)(d)(ii)

^{F53}29

Textual Amendments

F53 Sch. 7 para. 29 repealed (3.11.2008) by [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 1(1), [Sch. 3 para. 228\(d\)](#)

^{F54}30

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Textual Amendments

F54 Sch. 7 para. 30 repealed (3.11.2008) by [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 1(1), [Sch. 3 para. 228\(d\)](#)

31 (1) In subsection (1) of section 26 of that Act (disputes about parentage), for the words “the child support officer concerned” there shall be substituted the words “the Secretary of State”.

(2) In subsection (2) of that section, in Case E, for the words “the child support officer” there shall be substituted the words “the Secretary of State”.

Commencement Information

I183 Sch. 7 para. 31 in force at 1.6.1999 by [S.I. 1999/1510](#), [art. 2\(g\)\(iii\)](#) (with arts. 48-51)

^{F55}32

Textual Amendments

F55 Sch. 7 para. 32 repealed (1.4.2001) by [Child Support, Pensions and Social Security Act 2000 \(c. 19\)](#), s. 86(1)(e)(2), [Sch. 9 Pt. IX](#) (with s. 83(6)); [S.I. 2001/774](#), art. 2(d)

33 In subsection (1) of section 28 of that Act (power of Secretary of State to initiate or defend actions of declarator: Scotland), for the words “a child support officer to whom the case is referred” there shall be substituted the words “the Secretary of State”.

Commencement Information

I184 Sch. 7 para. 33 in force at 1.6.1999 by [S.I. 1999/1510](#), [art. 2\(g\)\(iii\)](#) (with arts. 48-51)

^{F56}34

Textual Amendments

F56 Sch. 7 para. 34 repealed (3.3.2003 for specified purposes) by [Child Support, Pensions and Social Security Act 2000 \(c. 19\)](#), s. 86(1)(e)(2), [Sch. 9 Pt. I](#) (with s. 83(6)); [S.I. 2003/192](#), art. 3, Sch.

^{F57}35

Textual Amendments

F57 Sch. 7 para. 35 repealed (3.3.2003 for specified purposes) by [Child Support, Pensions and Social Security Act 2000 \(c. 19\)](#), s. 86(1)(e)(2), [Sch. 9 Pt. I](#) (with s. 83(6)); [S.I. 2003/192](#), art. 3, Sch.

^{F58}36

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Textual Amendments

F58 Sch. 7 para. 36 repealed (3.11.2008) by [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 1(1), [Sch. 3 para. 228\(d\)](#)

^{F59}37

Textual Amendments

F59 Sch. 7 para. 37 repealed (3.3.2003 for specified purposes) by [Child Support, Pensions and Social Security Act 2000 \(c. 19\)](#), s. 86(1)(e)(2), [Sch. 9 Pt. I](#) (with s. 83(6)); S.I. 2003/192, art. 3, Sch.

^{F60}38

Textual Amendments

F60 Sch. 7 para. 38 repealed (3.3.2003 for specified purposes) by [Child Support, Pensions and Social Security Act 2000 \(c. 19\)](#), s. 86(1)(e)(2), [Sch. 9 Pt. I](#) (with s. 83(6)); S.I. 2003/192, art. 3, Sch.

^{F61}39

Textual Amendments

F61 Sch. 7 para. 39 repealed (3.3.2003 for specified purposes) by [Child Support, Pensions and Social Security Act 2000 \(c. 19\)](#), s. 86(1)(e)(2), [Sch. 9 Pt. I](#) (with s. 83(6)); S.I. 2003/192, art. 3, Sch.

^{F62}40

Textual Amendments

F62 Sch. 7 para. 40 repealed (3.3.2003 for specified purposes) by [Child Support, Pensions and Social Security Act 2000 \(c. 19\)](#), s. 86(1)(e)(2), [Sch. 9 Pt. I](#) (with s. 83(6)); S.I. 2003/192, art. 3, Sch.

41 In subsection (1) of section 44 of that Act (jurisdiction), for the words “A child support officer” there shall be substituted the words “The Secretary of State”.

Commencement Information

I185 Sch. 7 para. 41 in force at 1.6.1999 by [S.I. 1999/1510](#), [art. 2\(g\)\(iii\)](#) (with arts. 48-51)

^{F63}42

Textual Amendments

F63 Sch. 7 para. 42 repealed (3.11.2008) by [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 1(1), [Sch. 3 para. 228\(d\)](#)

^{F64}43

Status: Point in time view as at 16/11/2023.

Changes to legislation: Social Security Act 1998 is up to date with all changes known to be in force on or before 21 June 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)

Textual Amendments

F64 Sch. 7 para. 43 repealed (3.3.2003 for specified purposes) by [Child Support, Pensions and Social Security Act 2000 \(c. 19\)](#), s. 86(1)(e)(2), [Sch. 9 Pt. I](#) (with s. 83(6)); S.I. 2003/192, art. 3, Sch.

44 After that section there shall be inserted the following sections—

“46A Finality of decisions

- (1) Subject to the provisions of this Act, any decision of the Secretary of State or an appeal tribunal made in accordance with the foregoing provisions of this Act shall be final.
- (2) If and to the extent that regulations so provide, any finding of fact or other determination embodied in or necessary to such a decision, or on which such a decision is based, shall be conclusive for the purposes of—
 - (a) further such decisions;
 - (b) decisions made in accordance with sections 8 to 16 of the Social Security Act 1998, or with regulations under section 11 of that Act; and
 - (c) decisions made under the Vaccine Damage Payments Act 1979.

46B Matters arising as respects decisions

- (1) Regulations may make provision as respects matters arising pending—
 - (a) any decision of the Secretary of State under section 11, 12 or 17;
 - (b) any decision of an appeal tribunal under section 20; or
 - (c) any decision of a Child Support Commissioner under section 24.
- (2) Regulations may also make provision as respects matters arising out of the revision under section 16, or on appeal, of any such decision as is mentioned in subsection (1).
- (3) Any reference in this section to section 16, 17 or 20 includes a reference to that section as extended by Schedule 4C.”

Commencement Information

I186 Sch. 7 para. 44 in force at 4.3.1999 for specified purposes by [S.I. 1999/528](#), art. 2(a), [Sch.](#)

I187 Sch. 7 para. 44 in force at 1.6.1999 in so far as not already in force by [S.I. 1999/1510](#), [art. 2\(g\)\(iii\)](#) (with [arts. 48-51](#))

45 In subsection (5) of section 50 of that Act (unauthorised disclosure of information), in paragraph (c), after the words “other officer of,” there shall be inserted the words “an appeal tribunal or”.

Commencement Information

I188 Sch. 7 para. 45 in force at 1.6.1999 by [S.I. 1999/1510](#), [art. 2\(g\)\(iii\)](#) (with [arts. 48-51](#))

F65 46

Status: Point in time view as at 16/11/2023.

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Textual Amendments

F65 Sch. 7 para. 46 repealed (3.3.2003 for specified purposes) by [Child Support, Pensions and Social Security Act 2000 \(c. 19\)](#), s. 86(1)(e)(2), **Sch. 9 Pt. I** (with s. 83(6)); S.I. 2003/192, art. 3, Sch.

47 In section 54 of that Act (interpretation)—

- ^{F66}(a)
- (b) the definitions of “adjudication officer”, “Chief Adjudication Officer”, “Chief Child Support Officer”, “child support appeal tribunal” and “child support officer” shall cease to have effect.

Textual Amendments

F66 Sch. 7 para. 47(a) repealed (3.11.2008) by [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 1(1), **Sch. 3 para. 228(d)**

Commencement Information

I189 Sch. 7 para. 47 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](#))

I190 Sch. 7 para. 47(b) in force at 1.6.1999 for specified purposes by [S.I. 1999/1510](#), **art. 2(g)(iv)** (with arts. 48-51)

48 ^{F67}(1)

^{F67}(2)

^{F67}(3)

(4) In paragraph 15 of that Schedule (separate assessments for different periods), for the words “a child support officer” there shall be substituted the words “the Secretary of State”.

(5) In paragraph 16 of that Schedule (termination of assessments)—

^{F68}(a)

^{F68}(b)

^{F68}(c)

(d) in sub-paragraph (10), the words “or a child support officer” shall cease to have effect.

Textual Amendments

F67 Sch. 7 para. 48(1)(2)(3) repealed (3.3.2003 for specified purposes) by [Child Support, Pensions and Social Security Act 2000 \(c. 19\)](#), s. 86(1)(e)(2), **Sch. 9 Pt. I** (with s. 83(6)); S.I. 2003/192, art. 3, Sch.

F68 Sch. 7 para. 48(5)(a)(b)(c) repealed (3.3.2003 for specified purposes) by [Child Support, Pensions and Social Security Act 2000 \(c. 19\)](#), s. 86(1)(e)(2), **Sch. 9 Pt. I** (with s. 83(6)); S.I. 2003/192, art. 3, Sch.

Commencement Information

I191 Sch. 7 para. 48 in force at 1.6.1999 by [S.I. 1999/1510](#), **art. 2(g)(v)** (with arts. 48-51)

49 Paragraph 2 of Schedule 2 to that Act (local authority records) shall cease to have effect.

Status: Point in time view as at 16/11/2023.

Changes to legislation: Social Security Act 1998 is up to date with all changes known to be in force on or before 21 June 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)

Commencement Information

I192 Sch. 7 para. 49 in force at 8.9.1998 by [S.I. 1998/2209](#), [art. 2\(a\)](#), [Sch. Pt. I](#)

50 Schedule 3 to that Act (child support appeal tribunals) shall cease to have effect.

Commencement Information

I193 Sch. 7 para. 50 in force at 1.6.1999 by [S.I. 1999/1510](#), [art. 2\(g\)\(v\)](#) (with arts. 48-51)

^{F69}51

Textual Amendments

F69 Sch. 7 para. 51 repealed (3.11.2008) by [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), [art. 1\(1\)](#), [Sch. 3 para. 228\(d\)](#)

^{F70}52

Textual Amendments

F70 Sch. 7 para. 52 repealed (3.11.2008) by [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), [art. 1\(1\)](#), [Sch. 3 para. 228\(d\)](#)

^{F71}53

Textual Amendments

F71 Sch. 7 para. 53 repealed (3.3.2003 for specified purposes) by [Child Support, Pensions and Social Security Act 2000 \(c. 19\)](#), [s. 86\(1\)\(e\)\(2\)](#), [Sch. 9 Pt. I](#) (with [s. 83\(6\)](#)); [S.I. 2003/192](#), [art. 3](#), [Sch.](#)

^{F72}54

Textual Amendments

F72 Sch. 7 para. 54 repealed (3.3.2003 for specified purposes) by [Child Support, Pensions and Social Security Act 2000 \(c. 19\)](#), [s. 86\(1\)\(e\)\(2\)](#), [Sch. 9 Pt. I](#) (with [s. 83\(6\)](#)); [S.I. 2003/192](#), [art. 3](#), [Sch.](#)

Criminal Justice Act 1991 (c. 53)

55 In subsection (2)(b) of section 24 of the Criminal Justice Act 1991 (recovery of fines etc. by deductions from income support or jobseeker’s allowance), for the words “appeals and reviews” there shall be substituted the words “appeals to appeal tribunals constituted under Chapter I of Part I of the Social Security Act 1998 and decisions under section 9 or 10 of that Act”.

Status: Point in time view as at 16/11/2023.

Changes to legislation: Social Security Act 1998 is up to date with all changes known to be in force on or before 21 June 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)

Commencement Information

- I194** Sch. 7 para. 55 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](#))
- I195** Sch. 7 para. 55 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](#))

Social Security Contributions and Benefits Act 1992 (c. 4)

- 56 (1) In subsection (2) of section 1 of the Contributions and Benefits Act (outline of contributory system), for the word “five” there shall be substituted the word “six” and after paragraph (b) there shall be inserted the following paragraph—
- “(bb) Class 1B, payable under section 10A below by persons who are accountable to the Inland Revenue in respect of income tax on emoluments in accordance with a PAYE settlement agreement;”.
- (2) In subsection (4)(a) of that section after “1A,” there shall be inserted “1B,”.
- (3) In subsection (6) of that section, after the words “Class 1A”, in both places where they occur, there shall be inserted the words “, Class 1B”.

Commencement Information

- I196** Sch. 7 para. 56 in force at 8.9.1998 for specified purposes and 6.4.1999 in so far as not already in force by [S.I. 1998/2209](#), [art. 2\(b\)\(c\)](#), [Sch. Pts. II, III](#)

F73 57

Textual Amendments

- F73** Sch. 7 para. 57 repealed (6.4.2000) by [Welfare Reform and Pensions Act 1999 \(c. 30\)](#), s. 89(3)(c), [Sch. 13 Pt. VI](#); [S.I. 1999/3420](#), [art. 4\(c\)\(e\)](#)

F74 58

Textual Amendments

- F74** Sch. 7 para. 58 repealed (with effect in accordance with Sch. 9 Pt. 8(1) Note 1 of the amending Act) by [Child Support, Pensions and Social Security Act 2000 \(c. 19\)](#), s. 86(1)(2), [Sch. 9 Pt. VIII\(1\)](#) (with s. 83(6))

- 59 After subsection (3) of section 14 of that Act (restriction on right to pay Class 3 contributions) there shall be inserted the following subsection—
- “(4) Where primary Class 1 contributions have been paid or treated as paid on any part of a person’s earnings, subsection (1)(a) above shall have effect as if such contributions had been paid or treated as paid on so much of those earnings as did not exceed the upper earnings limit.”

Status: Point in time view as at 16/11/2023.

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Commencement Information

I197 Sch. 7 para. 59 in force at 6.4.1999 by [S.I. 1999/418](#), [art. 2\(2\)\(3\)\(a\)](#)

60 After subsection (5) of section 21 of that Act (contribution conditions) there shall be inserted the following subsection—

“(5A) Where primary Class 1 contributions have been paid or treated as paid on any part of a person’s earnings, the following provisions, namely—

- (a) subsection (5)(c) above;
- (b) sections 22(1)(a) and (3)(a), 23(3)(a), 24(2)(a), 44(6)(a) and 45A(1)(a) below; and
- (c) paragraphs 2(4)(a) and (5)(a), 4(2)(a), 5(2)(b) and (4)(a) and 7(4)(a) of Schedule 3 to this Act,

shall have effect as if such contributions had been paid or treated as paid on so much of the earnings as did not exceed the upper earnings limit.”

Commencement Information

I198 Sch. 7 para. 60 in force at 6.4.1999 by [S.I. 1999/418](#), [art. 2\(2\)\(3\)\(a\)](#)

61 In subsection (4) of section 22 of that Act (earnings factors), for the words “upon which” there shall be substituted the words “in respect of which”.

Commencement Information

I199 Sch. 7 para. 61 in force at 6.4.1999 by [S.I. 1999/418](#), [art. 2\(2\)\(3\)\(a\)](#)

62 In subsection (2) of section 54 of that Act (Category A and Category B retirement pensions: supplemental provisions), for the words “Part II of the Administration Act” there shall be substituted the words “Chapter II of Part I of the Social Security Act 1998”.

Commencement Information

I200 Sch. 7 para. 62 in force at 6.9.1999 for specified purposes by [S.I. 1999/2422](#), [art. 2\(c\)](#), [Sch. 1](#) (with [art. 4](#), [Sch. 14](#))

63 In subsection (5)(c) of section 95 of that Act (relevant employments), after the words “the Administration Act” there shall be inserted the words “, or Chapter II of Part I of the Social Security Act 1998,”.

Commencement Information

I201 Sch. 7 para. 63 in force at 5.7.1999 (immediately before the coming into force of Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2), Sch. 7 para. 4) for specified purposes by [S.I. 1999/1958](#), [art. 2\(1\)\(b\)\(2\)](#), [Sch. 1](#) (with [art. 5](#), [Sch. 12](#))

Status: Point in time view as at 16/11/2023.

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- 64 In subsection (1)(b) of section 97 of that Act (accidents in the course of illegal employments), for the words “section 44 of the Administration Act” there shall be substituted the words “section 29 of the Social Security Act 1998”.

Commencement Information

I202 Sch. 7 para. 64 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)

- 65 In subsection (2) of section 109 of that Act (general provisions relating to benefit under section 108)—
- (a) in paragraph (a), for the words “or the Administration Act” there shall be substituted the words “, the Administration Act or Chapter II of Part I of the Social Security Act 1998”;
 - (b) in paragraph (b), for the words “and that Act” there shall be substituted the words “, that Act and that Chapter”;
 - (c) for the words “the Administration Act”, in the second place where they occur, there shall be substituted the words “that Act and that Chapter”; and
 - (d) after the words “section 1” there shall be inserted the words “of that Act”.

Commencement Information

I203 Sch. 7 para. 65 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)

- 66 In subsection (3) of section 113 of that Act (general provisions as to disqualification and suspension), for the words “or the Administration Act” there shall be substituted the words “, the Administration Act or Chapter II of Part I of the Social Security Act 1998”.

Commencement Information

I204 Sch. 7 para. 66 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)

I205 Sch. 7 para. 66 in force at 6.9.1999 for specified purposes by S.I. 1999/2422, art. 2(c), Sch. 1 (with art. 4, Sch. 14)

I206 Sch. 7 para. 66 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)

I207 Sch. 7 para. 66 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)

- 67 In subsection (2) of section 116 of that Act (Her Majesty’s forces), for the words “provision of Part II of the Administration Act which replaces” there shall be substituted the words “provisions of Chapter II of Part I of the Social Security Act 1998 which correspond to”.

Commencement Information

I208 Sch. 7 para. 67 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)

Status: Point in time view as at 16/11/2023.

Changes to legislation: Social Security Act 1998 is up to date with all changes known to be in force on or before 21 June 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)

- I209** Sch. 7 para. 67 in force at 6.9.1999 for specified purposes by [S.I. 1999/2422](#), art. 2(c), **Sch. 1** (with art. 4, Sch. 14)
- I210** Sch. 7 para. 67 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)
- I211** Sch. 7 para. 67 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)

- 68 In subsection (1) of section 117 of that Act (mariners, airmen etc.), for the words “provision of Part II of the Administration Act which replaces” there shall be substituted the words “provisions of Chapter II of Part I of the Social Security Act 1998 which correspond to”.

Commencement Information

- I212** Sch. 7 para. 68 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)
- I213** Sch. 7 para. 68 in force at 6.9.1999 for specified purposes by [S.I. 1999/2422](#), art. 2(c), **Sch. 1** (with art. 4, Sch. 14)
- I214** Sch. 7 para. 68 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)
- I215** Sch. 7 para. 68 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)

- 69 In section 119 of that Act (persons outside Great Britain), for the words “provision of Part II of the Administration Act which replaces” there shall be substituted the words “provisions of Chapter II of Part I of the Social Security Act 1998 which correspond to”.

Commencement Information

- I216** Sch. 7 para. 69 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)
- I217** Sch. 7 para. 69 in force at 6.9.1999 for specified purposes by [S.I. 1999/2422](#), art. 2(c), **Sch. 1** (with art. 4, Sch. 14)
- I218** Sch. 7 para. 69 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)
- I219** Sch. 7 para. 69 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)

- 70 In subsection (1) of section 120 of that Act (employment at sea: continental shelf operations), for the words “provision of Part II of the Administration Act which replaces” there shall be substituted the words “provisions of Chapter II of Part I of the Social Security Act 1998 which correspond to”.

Commencement Information

- I220** Sch. 7 para. 70 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)
- I221** Sch. 7 para. 70 in force at 6.9.1999 for specified purposes by [S.I. 1999/2422](#), art. 2(c), **Sch. 1** (with art. 4, Sch. 14)
- I222** Sch. 7 para. 70 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)

Status: Point in time view as at 16/11/2023.

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I223 Sch. 7 para. 70 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)

71 In subsection (1) of section 122 of that Act (interpretation of Parts I to VI and supplementary provisions)—

- (a) in the definition of “entitled”, for the words “and 68 of the Administration Act” there shall be substituted the words “of the Administration Act and section 27 of the Social Security Act 1998”;
- (b) the definitions of “initial primary percentage” and “main primary percentage” shall cease to have effect;
- (c) for the definitions of “lower earnings limit” and “upper earnings limit” there shall be substituted the following definitions—

““lower earnings limit”, “upper earnings limit” and “earnings threshold” are to be construed in accordance with subsection (1) of section 5 above, and references to the lower or upper earnings limit, or to the earnings threshold, of a tax year are to whatever is (or was) for that year the limit or threshold in force under that subsection;”;

- (d) after the definition of “Old Cases payments” there shall be inserted the following definition—

““PAYE settlement agreement” has the same meaning as in section 206A of the Income and Corporation Taxes Act 1988;”;

^{F75}(e)

Textual Amendments

F75 Sch. 7 para. 71(e) repealed (with effect in relation to the tax year 2003-04 and subsequent tax years in accordance with s. 8(2) of the amending Act) by [National Insurance Contributions Act 2002](#) (c. 19), [Sch. 2](#)

Commencement Information

I224 Sch. 7 para. 71 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)

I225 Sch. 7 para. 71 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)

I226 Sch. 7 para. 71(a) in force at 6.9.1999 for specified purposes by [S.I. 1999/2422](#), art. 2(c), [Sch. 1](#) (with art. 4, Sch. 14)

I227 Sch. 7 para. 71(a) 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)

I228 Sch. 7 para. 71(b)(c)(e) in force at 6.4.1999 by [S.I. 1999/418](#), art. 2(2)(3)(a)

I229 Sch. 7 para. 71(d) in force at 8.9.1998 for specified purposes and 6.4.1999 in so far as not already in force by [S.I. 1998/2209](#), art. 2(b)(c), [Sch. Pts. II, III](#)

72 (1) For subsection (1) of section 139 of that Act (awards by social fund officers) there shall be substituted the following subsection—

“(1) Whether a payment mentioned in section 138(1)(b) above is to be awarded, and how much it is to be, shall be determined by an appropriate officer, that is to say, an officer of the Secretary of State who, acting under his authority,

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is exercising functions of the Secretary of State in relation to payments so mentioned.”

- (2) In subsection (2) of that section, for the words “A social fund officer” there shall be substituted the words “An appropriate officer”.
- (3) Subsection (3) of that section shall cease to have effect.
- (4) In subsection (4) of that section, for the words “that is to be repayable” there shall be substituted the words “of a crisis loan or a budgeting loan”.
- (5) In subsection (5) of that section, for the words “the social fund officer” there shall be substituted the words “the appropriate officer”.

Commencement Information

- I230** Sch. 7 para. 72 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](#))
- I231** Sch. 7 para. 72(3)(4) in force at 5.4.1999 by [S.I. 1999/1055](#), [art. 2\(b\)](#) (with [art. 3](#))

- 73
- (1) In subsection (1) of section 140 of that Act (principles of determination), for the words “a social fund officer” there shall be substituted the words “an appropriate officer”.
 - (2) In subsection (2) of that section, for the words “A social fund officer” there shall be substituted the words “An appropriate officer”.
 - (3) In subsection (3) of that section, for the words “a social fund officer or group of social fund officers” there shall be substituted the words “an appropriate officer or group of appropriate officers”.
 - (4) In subsection (4) of that section—
 - (a) for the words “a social fund officer”, in each place where they occur, there shall be substituted the words “an appropriate officer”; and
 - (b) for the words “social fund officers” there shall be substituted the words “appropriate officers”.
 - (5) In subsection (5) of that section—
 - (a) for the words “a social fund officer” there shall be substituted the words “an appropriate officer”; and
 - (b) for the words “the social fund officer nominated for his area under section 64 of the Administration Act” there shall be substituted the words “the appropriate officer nominated for his area under section 36 of the Social Security Act 1998”.

Commencement Information

- I232** Sch. 7 para. 73 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](#))

- 74
- In subsection (1) of section 163 of that Act (interpretation of Part XI), in the definition of “employer”, after the words “but for” there shall be inserted the words “the condition in”.

Status: Point in time view as at 16/11/2023.

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Commencement Information

I233 Sch. 7 para. 74 in force at 6.4.1999 by S.I. 1999/418, art. 2(2)(3)(a)

- 75 In subsection (1) of section 171 of that Act (interpretation of Part XII), in the definition of “employer”, after the words “but for” there shall be inserted the words “the condition in”.

Commencement Information

I234 Sch. 7 para. 75 in force at 6.4.1999 by S.I. 1999/418, art. 2(2)(3)(a)

- 76 In subsection (2) of section 171E of that Act (incapacity for work: disqualification etc.), for the words “Part II of the Administration Act” there shall be substituted the words “Chapter II of Part I of the Social Security Act 1998”.

Commencement Information

I235 Sch. 7 para. 76 in force at 6.9.1999 for specified purposes by S.I. 1999/2422, art. 2(c), Sch. 1 (with art. 4, Sch. 14)

- 77 (1) In the heading to Schedule 1 to that Act (supplementary provisions relating to contributions of Classes 1, 1A, 2 and 3), after “1A,” there shall be inserted “1B,”.
- (2) For sub-paragraph (2) of paragraph 1 of that Schedule there shall be substituted the following sub-paragraph—
- “(2) Where earnings in respect of employments which include any contracted-out employment and any employment which is not a contracted-out employment are aggregated under sub-paragraph (1) above, then, except as may be provided by regulations—
- (a) if the aggregated earnings exceed the current lower earnings limit, the amount of the primary Class 1 contribution in respect of the aggregated earnings shall be determined in accordance with sub-paragraph (3) below; and
- (b) if the aggregated earnings exceed the current earnings threshold, the amount of the secondary Class 1 contribution in respect of the aggregated earnings shall be determined in accordance with sub-paragraph (6) below.”
- (3) In sub-paragraph (3) of that paragraph, immediately before the words “does not exceed”, in each place where they occur, there shall be inserted the words “exceeds the current lower earnings limit and”.
- (4) In sub-paragraph (6) of that paragraph—
- (a) in paragraph (a), for the words “the APPS earnings” there shall be substituted the words “such part of the APPS earnings as exceeds the earnings threshold”;
- (b) in paragraphs (b) and (c), for the words “the part of the aggregated earnings attributable to such service” there shall be substituted the words “such part of the aggregated earnings attributable to such service as exceeds the earnings threshold”; and

Status: Point in time view as at 16/11/2023.

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- (c) in paragraph (d), for the words “the remainder of the aggregated earnings” there shall be substituted the words “such part of the remainder of the aggregated earnings as exceeds the earnings threshold”.
- (5) In sub-paragraph (1) of paragraph 3 of that Schedule, for the words “his own secondary contribution” there shall be substituted the words “any secondary contribution of his own”.
- (6) For paragraph 5 of that Schedule there shall be substituted the following paragraph—

“Class 1A contributions

- 5 Regulations may—
 - (a) make provision for calculating the amount of Class 1A contributions so as to avoid fractional amounts;
 - (b) modify section 10 above in relation to cases where a car is made available by reason of two or more employed earner’s employments under different employers.”

- (7) After that paragraph there shall be inserted the following paragraph—

“Class 1B contributions

- 5A Regulations may make provision for calculating the amount of Class 1B contributions so as to avoid fractional amounts.”

- (8) In sub-paragraph (1) of paragraph 6 of that Schedule, for paragraph (a) there shall be substituted the following paragraph—

- “(a) provide for Class 1, Class 1A, Class 1B or Class 2 contributions to be paid, accounted for and recovered in a similar manner to income tax in relation to which regulations under section 203 of the Income and Corporation Taxes Act 1988 (PAYE) have effect;”

- (9) In sub-paragraph (2) of that paragraph—

- (a) for the words “or Class 1A”, in each place where they occur, there shall be substituted the words “, Class 1A or Class 1B”; and
 - (b) in paragraph (b), the words “(being not less than one year after the end of the tax year in respect of which the sums are due)” shall cease to have effect.

^{F76}(10)

- (11) After that sub-paragraph there shall be inserted the following sub-paragraph—

- “(4A) Regulations under this paragraph shall not require the payment of interest on a sum due in respect of a Class 1B contribution if a relevant tax appeal has been brought but not finally determined; and “a relevant tax appeal” means an appeal against a determination as to the amount of income tax in respect of which the person liable to pay the Class 1B contribution is accountable in accordance with the relevant PAYE settlement agreement.”

- (12) In sub-paragraph (11)(a) of paragraph 7 of that Schedule, for the words “and Class 1A” there shall be substituted the words “, Class 1A and Class 1B”.

^{F77}(13)

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- (14) In paragraph (b) of sub-paragraph (1) of paragraph 8 of that Schedule, after the words “Class 1A” there shall be inserted the words “or Class 1B”.
- (15) After paragraph (i) of that sub-paragraph there shall be inserted the following paragraph—
- “(ia) for the repayment, in prescribed cases, of the whole or a prescribed part of a Class 1B contribution;”.
- (16) In paragraph (1) of that sub-paragraph—
- (a) in sub-paragraph (i), after the words “Class 1A contributions” there shall be inserted the words “or a Class 1B contribution”;
- (b) in sub-paragraph (ii), after the words “Class 1 contributions” there shall be inserted the words “, a Class 1B contribution”;
- (c) after that sub-paragraph there shall be inserted the following sub-paragraph—
- “(ia) the whole or part of any payment of a Class 1B contribution to be treated as a payment of secondary Class 1 contributions, Class 1A contributions or Class 2 contributions;”; and
- (d) in sub-paragraph (iii), for the words “or Class 1A contributions” there shall be substituted the words “, Class 1A contributions or a Class 1B contribution

Textual Amendments

- F76** Sch. 7 para. 77(10) repealed (1.4.1999) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\), s. 28\(3\), Sch. 10 Pt. I](#) (with Sch. 8); S.I. 1999/527, art. 2(b), Sch. 2 (with arts. 3-6)
- F77** Sch. 7 para. 77(13) repealed (1.4.1999) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\), s. 28\(3\), Sch. 10 Pt. I](#) (with Sch. 8); S.I. 1999/527, art. 2(b), Sch. 2 (with arts. 3-6)

Commencement Information

- I236** Sch. 7 para. 77(1) in force at 6.4.1999 by [S.I. 1998/2209, art. 2\(c\), Sch. Pt. III](#)
- I237** Sch. 7 para. 77(2)-(5) in force at 6.4.1999 by [S.I. 1999/418, art. 2\(2\)\(3\)\(a\)](#)
- I238** Sch. 7 para. 77(6) in force at 8.9.1998 by [S.I. 1998/2209, art. 2\(a\), Sch. Pt. I](#)
- I239** Sch. 7 para. 77(7)-(9)(11)(14)-(16) in force at 8.9.1998 for specified purposes and 6.4.1999 in so far as not already in force by [S.I. 1998/2209, art. 2\(b\)\(c\), Sch. Pts. II, III](#)
- I240** Sch. 7 para. 77(12) in force at 6.4.1999 by [S.I. 1998/2209, art. 2\(c\), Sch. Pt. III](#)

Social Security Administration Act 1992 (c. 5)

^{F78}78

Textual Amendments

- F78** Sch. 7 para. 78 repealed (24.4.2000 for specified purposes, 9.4.2001 in so far as not already in force) by [Welfare Reform and Pensions Act 1999 \(c. 30\), s. 89\(1\), Sch. 13 Pt. V](#); S.I. 2000/1047, art. 2(2)(a), Sch. Pt. 1

- 79 (1) In subsection (1) of section 5 of that Act (regulations about claims for and payments of benefit)—
- (a) for paragraph (e) there shall be substituted the following paragraph—

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“(e) for any such award to be revised under section 9 of the Social Security Act 1998, or superseded under section 10 of that Act, if any of those requirements are found not to have been satisfied;” and

(b) paragraphs (n) and (o) shall cease to have effect.

(2) Subsection (4) of that section shall cease to have effect.

Commencement Information

- I241** Sch. 7 para. 79(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](#))
- I242** Sch. 7 para. 79(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](#))
- I243** Sch. 7 para. 79(1) in force at 5.10.1999 for specified purposes by [S.I. 1999/2739](#), [art. 2](#), [Sch. 1](#) (with [art. 3](#), [Sch. 2](#))
- I244** Sch. 7 para. 79(1) 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](#))
- I245** Sch. 7 para. 79(1) 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](#))
- I246** Sch. 7 para. 79(1)(b) in force at 2.7.2001 for specified purposes by [S.I. 2001/2316](#), [art. 2\(b\)](#)
- I247** Sch. 7 para. 79(2) in force at 2.7.2001 by [S.I. 2001/2316](#), [art. 2\(a\)](#)

80 In subsection (1) of section 6 of that Act (regulations about council tax benefit administration), paragraphs (n) and (o) shall cease to have effect.

Commencement Information

- I248** Sch. 7 para. 80 in force at 2.7.2001 by [S.I. 2001/2316](#), [art. 2\(a\)](#)

81 (1) In subsection (2) of section 71 of that Act (overpayments: general), after the word “shall” there shall be inserted the words “in the case of the Secretary of State or a tribunal, and may in the case of a Commissioner or a court”.

^{F79}(2)

(3) In subsection (5A) of that section, for the words “revised on a review” there shall be substituted the words “has been revised under section 9 or superseded under section 10 of the Social Security Act 1998”.

Textual Amendments

- F79** Sch. 7 para. 81(2) repealed (3.7.2007) by [Welfare Reform Act 2007 \(c. 5\)](#), [s. 70\(1\)](#), [Sch. 8](#)

Commencement Information

- I249** Sch. 7 para. 81 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](#))
- I250** Sch. 7 para. 81 in force at 6.9.1999 for specified purposes by [S.I. 1999/2422](#), [art. 2\(c\)](#), [Sch. 1](#) (with [art. 4](#), [Sch. 14](#))
- I251** Sch. 7 para. 81 in force at 5.10.1999 for specified purposes by [S.I. 1999/2739](#), [art. 2](#), [Sch. 1](#) (with [art. 3](#), [Sch. 2](#))

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- I252** Sch. 7 para. 81 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](#))
- I253** Sch. 7 para. 81 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](#))

- 82 In subsection (1) of section 71A of that Act (recovery of jobseeker’s allowance: severe hardship cases)—
- (a) for the words “an adjudication officer”, in both places where they occur, there shall be substituted the words “the Secretary of State”; and
- (b) for the words “the Secretary of State” there shall be substituted the word “he”.

Commencement Information

- I254** Sch. 7 para. 82 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](#))

- 83 In section 116 of that Act (legal proceedings), subsection (6) shall cease to have effect.

Commencement Information

- I255** Sch. 7 para. 83 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](#))

- 84 For section 117 of that Act there shall be substituted the following section—

“117 Issues arising in proceedings

- (1) This section applies to proceedings before a court—
- (a) for an offence under this Act or the Jobseekers Act 1995; or
- (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 Secretary of State or the National Insurance Fund.
- (2) A decision of the Secretary of State which—
- (a) falls within Part II of Schedule 3 to the Social Security Act 1998 (“the 1998 Act”); 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 Secretary of State has not been obtained or an application with respect to the decision has been made under section 9 or 10 of the 1998 Act,
- the decision shall be referred to the Secretary of State to be made in accordance (subject to any necessary modifications) with Chapter II of Part I of that Act.

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- (4) Subsection (2) above does not apply where, in relation to the decision—
- (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 section 9 or 10 of the 1998 Act.
- (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.”

Commencement Information

I256 Sch. 7 para. 84 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)

I257 Sch. 7 para. 84 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)

- 85 Subsection (2) of section 119 of that Act (recovery of unpaid contributions on prosecution) shall cease to have effect.

Commencement Information

I258 Sch. 7 para. 85 in force at 6.4.1999 by S.I. 1999/526, art. 2(3)(4)(b)

- 86 (1) In subsection (1) of section 120 of that Act (proof of previous offences), the words “or (2)(a)” shall cease to have effect.
- (2) In subsection (3) of that section—
- (a) after the words “Class 1A” there shall be inserted the words “or Class 1B”; and
 - (b) for the words “2 years” there shall be substituted the words “6 years”.
- (3) In subsection (4) of that section—
- (a) after the words “Class 1” there shall be inserted the words “or Class 1B”; and
 - (b) for the words “2 years” there shall be substituted the words “6 years”.
- (4) After that subsection there shall be inserted the following subsection—
- “(4A) If the offence is one of failure to pay a Class 1B contribution, evidence may be given of failure on his part to pay such contributions, or any Class 1 or Class 1A contributions or contributions equivalent premiums, on the date of the offence, or during the 6 years preceding that date.”
- (5) In subsection (5) of that section—
- (a) paragraph (b) and the word “or” immediately preceding that paragraph shall cease to have effect; and
 - (b) for the words “2 years” there shall be substituted the words “6 years”.
- (6) In subsection (6) of that section, after the word “(4),” there shall be inserted the word “(4A)”.

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Commencement Information

I259 Sch. 7 para. 86(1)(2)(b)(3)(b)(5) in force at 6.4.1999 by [S.I. 1999/526](#), [art. 2\(3\)\(4\)\(b\)](#)

I260 Sch. 7 para. 86(2)(a)(3)(a)(4)(6) in force at 6.4.1999 by [S.I. 1998/2209](#), [art. 2\(c\)](#), [Sch. Pt. III](#)

- 87 In subsections (1) and (2) of section 121 of that Act (unpaid contributions: supplementary), the words “or (2)(a)” shall cease to have effect.

Commencement Information

I261 Sch. 7 para. 87 in force at 6.4.1999 by [S.I. 1999/526](#), [art. 2\(3\)\(4\)\(b\)](#)

- 88 In subsection (6A) of section 123 of that Act (unauthorised disclosure of information relating to particular persons), for the words “section 54 above” there shall be substituted the words “section 19 of the Social Security Act 1998”.

Commencement Information

I262 Sch. 7 para. 88 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](#))

I263 Sch. 7 para. 88 in force at 6.9.1999 for specified purposes by [S.I. 1999/2422](#), [art. 2\(c\)](#), [Sch. 1](#) (with [art. 4](#), [Sch. 14](#))

I264 Sch. 7 para. 88 in force at 5.10.1999 for specified purposes by [S.I. 1999/2739](#), [art. 2](#), [Sch. 1](#) (with [art. 3](#), [Sch. 2](#))

I265 Sch. 7 para. 88 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](#))

I266 Sch. 7 para. 88 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](#))

- 89 In subsection (1) of section 125 of that Act (regulations as to notification of deaths), after the words “the Social Security (Recovery of Benefits) Act 1997” there shall be inserted the words “, the Social Security Act 1998”.

Commencement Information

I267 Sch. 7 para. 89 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](#))

I268 Sch. 7 para. 89 in force at 6.9.1999 for specified purposes by [S.I. 1999/2422](#), [art. 2\(c\)](#), [Sch. 1](#) (with [art. 4](#), [Sch. 14](#))

I269 Sch. 7 para. 89 in force at 5.10.1999 for specified purposes by [S.I. 1999/2739](#), [art. 2](#), [Sch. 1](#) (with [art. 3](#), [Sch. 2](#))

I270 Sch. 7 para. 89 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](#))

I271 Sch. 7 para. 89 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](#))

- 90 (1) In subsection (1) of section 143 of that Act (power to alter contributions with a view to adjusting level of National Insurance Fund), for paragraphs (a) and (b) there shall be substituted the following paragraphs—

“(a) the percentage rate specified as the primary percentage in section 8(2);

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(b) the percentage rate specified as the secondary percentage in section 9(2);”.

(2) In subsection (4) of that section, for paragraph (a) there shall be substituted the following paragraph—

“(a) to increase for any tax year the primary percentage, or the secondary percentage, to a percentage rate more than 0.25 per cent higher than that applicable at the end of the preceding tax year;”.

Commencement Information

I272 Sch. 7 para. 90 in force at 6.4.1999 by [S.I. 1999/418](#), [art. 2\(2\)\(3\)\(a\)](#)

^{F80}91

Textual Amendments

F80 Sch. 7 para. 91 repealed (6.4.2000) by [Welfare Reform and Pensions Act 1999 \(c. 30\)](#), s. 89(3)(c), [Sch. 13 Pt. VI](#); [S.I. 1999/3420](#), [art. 4\(c\)\(e\)](#)

92 For subsections (1) to (3) of section 145 of that Act (power to alter primary and secondary contributions) there shall be substituted the following subsections—

“(1) For the purpose of adjusting amounts payable by way of primary Class 1 contributions, the Secretary of State may at any time make an order altering the percentage rate specified as the primary percentage in section 8(2) of the Contributions and Benefits Act.

(2) For the purpose of adjusting amounts payable by way of secondary Class 1 contributions, the Secretary of State may at any time make an order altering the percentage rate specified as the secondary percentage in section 9(2) of the Contributions and Benefits Act.

(3) No order shall be made under this section so as to increase for any tax year the primary percentage, or the secondary percentage, to a percentage rate more than 0.25 per cent higher than that applicable at the end of the preceding tax year.”

Commencement Information

I273 Sch. 7 para. 92 in force at 6.4.1999 by [S.I. 1999/418](#), [art. 2\(2\)\(3\)\(a\)](#)

93 Section 146 of that Act (power to alter number of secondary earnings brackets) shall cease to have effect.

Commencement Information

I274 Sch. 7 para. 93 in force at 6.4.1999 by [S.I. 1999/418](#), [art. 2\(2\)\(3\)\(a\)](#)

94 In subsections (1), (2) and (3) of section 147 of that Act (orders under sections 145 and 146: supplementary), the words “or 146” shall cease to have effect.

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Commencement Information

I275 Sch. 7 para. 94 in force at 6.4.1999 by [S.I. 1999/418](#), [art. 2\(2\)\(3\)\(a\)](#)

- 95 In subsection (2) of section 159 of that Act (effect of alteration in the component rates of income support), for the words “an adjudication officer” there shall be substituted the words “the Secretary of State”.

Commencement Information

I276 Sch. 7 para. 95 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](#))

- 96 In subsection (3) of section 159A of that Act (effect of alteration of rates of a jobseeker’s allowance), for the words “an adjudication officer” there shall be substituted the words “the Secretary of State”.

Commencement Information

I277 Sch. 7 para. 96 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](#))

- 97 In subsection (2) of section 160 of that Act (implementation of increases in income support due to attainment of particular ages), for the words “an adjudication officer” there shall be substituted the words “the Secretary of State”.

Commencement Information

I278 Sch. 7 para. 97 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](#))

- 98 In subsection (2) of section 160A of that Act (implementation of increases in income-based jobseeker’s allowance due to attainment of particular ages), for the words “an adjudication officer” there shall be substituted the words “the Secretary of State”.

Commencement Information

I279 Sch. 7 para. 98 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](#))

- 99 (1) After subsection (2) of section 162 of that Act (destination of contributions) there shall be inserted the following subsection—

“(2A) References in subsections (1) and (2) above to contributions include references to payments on account of contributions made in accordance with regulations under section 3(5) of the Contributions and Benefits Act (payments on account of directors’ contributions).”

- (2) After subsection (4) of that section there shall be inserted the following subsection—

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“(4A) The sums recovered by the Secretary of State under regulations made under paragraph 7A, 7B or 7C of Schedule 1 to the Contributions and Benefits Act in respect of interest or penalties shall be paid into the National Insurance Fund.”

- (3) In subsection (5)(b) of that section, for the words “those contributions” there shall be substituted the words “primary Class 1 contributions”.
- (4) In subsection (8)(b) of that section, after the words “paragraph (c)” there shall be inserted the words “or (ca)”.

Commencement Information

- I280** Sch. 7 para. 99(1) in force at 8.9.1998 by [S.I. 1998/2209](#), [art. 2\(a\)](#), [Sch. Pt. I](#)
- I281** Sch. 7 para. 99(2) in force at 6.4.1999 by [S.I. 1999/526](#), [art. 2\(3\)\(4\)\(b\)](#)
- I282** Sch. 7 para. 99(3) in force at 6.4.1999 by [S.I. 1999/418](#), [art. 2\(2\)\(3\)\(a\)](#)
- I283** Sch. 7 para. 99(4) in force at 8.9.1998 for specified purposes and 6.4.1999 in so far as not already in force by [S.I. 1998/2209](#), [art. 2\(b\)\(c\)](#), [Sch. Pts. II, III](#)

- 100 (1) In subsection (4) of section 163 of that Act (general financial arrangements), after the words “Class 1A” there shall be inserted the words “or 1B”.
- (2) In subsection (5) of that section, after the words “paragraph 6”, in the first place where they occur, there shall be inserted the words “or 7B”.

Commencement Information

- I284** Sch. 7 para. 100(1) in force at 6.4.1999 by [S.I. 1998/2209](#), [art. 2\(c\)](#), [Sch. Pt. III](#)
- I285** Sch. 7 para. 100(2) in force at 6.4.1999 by [S.I. 1999/526](#), [art. 2\(3\)\(4\)\(b\)](#)

- 101 In section 164 of that Act (destination of payments etc.), subsection (5)(a) shall cease to have effect.

Commencement Information

- I286** Sch. 7 para. 101 in force at 5.7.1999 for specified purposes by [S.I. 1999/1958](#), [art. 2\(1\)\(b\)](#), [Sch. 1](#) (with [arts. 3, 5](#), [Sch. 12](#))
- I287** Sch. 7 para. 101 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](#))

- 102 (1) In subsection (1) of section 166 of that Act (financial review and report), in paragraph (d), for the words “so far as it relates” there shall be substituted the words “and Chapter II of Part I of the Social Security Act 1998 so far as they relate”.
- (2) In subsection (2) of that section, in paragraph (c), for the words “so far as it relates” there shall be substituted the words “and Chapter II of Part I of the Social Security Act 1998 so far as they relate”.

Status: Point in time view as at 16/11/2023.

Changes to legislation: Social Security Act 1998 is up to date with all changes known to be in force on or before 21 June 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)

Commencement Information

- I288** Sch. 7 para. 102 in force at 5.7.1999 (immediately before the coming into force of Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2), Sch. 7 para. 14) for specified purposes by S.I. 1999/1958, art. 2(1)(b)(2), **Sch. 1** (with art. 5, Sch. 12)
- I289** Sch. 7 para. 102 in force at 6.9.1999 for specified purposes by S.I. 1999/2422, art. 2(c), **Sch. 1** (with art. 4, Sch. 14)
- I290** Sch. 7 para. 102 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)
- I291** Sch. 7 para. 102 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)

- 103 (1) In subsection (3)(a) of section 168 of that Act (allocations from social fund), for the words “a particular social fund officer or group of social fund officers” there shall be substituted the words “a particular appropriate officer or group of appropriate officers”.
- (2) In subsection (5) of that section, for the words “social fund officers”, in each place where they occur, there shall be substituted the words “appropriate officers”.
- (3) After that subsection there shall be inserted the following subsection—
- “(6) In this section “appropriate officer” means an officer of the Secretary of State who, acting under his authority, is exercising functions of the Secretary of State in relation to payments from the social fund such as are mentioned in section 138(1)(b) of the Contributions and Benefits Act.”

Commencement Information

- I292** Sch. 7 para. 103 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)

- 104 In subsection (5) of section 170 of that Act (the Social Security Advisory Committee)—
- (a) in the definition of “the relevant enactments”, after paragraph (ac) there shall be inserted the following paragraph—
- “(ad) the provisions of Chapter II of Part I of the Social Security Act 1998 and section 72 of that Act;”;
- and
- (b) in the definition of “the relevant Northern Ireland enactments”, after paragraph (ac) there shall be inserted the following paragraph—
- “(ad) any provisions in Northern Ireland which correspond to provisions of Chapter II of Part I of the Social Security Act 1998 and section 72 of that Act;”.

Commencement Information

- I293** Sch. 7 para. 104 in force at 4.3.1999 by S.I. 1999/528, art. 2(b)

- 105 In subsection (5) of section 177 of that Act (co-ordination with Northern Ireland)—
- (a) in paragraph (a), after the words “Jobseekers Act 1995” there shall be inserted the words “, Chapter II of Part I of the Social Security Act 1998”; and

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- (b) in paragraph (b), after the words “Jobseekers Act 1995” there shall be inserted the words “, any enactment in Northern Ireland corresponding to Chapter II of Part I of the Social Security Act 1998”.

Commencement Information

I294 Sch. 7 para. 105 in force at 5.7.1999 by [S.I. 1999/1958](#), [art. 2\(1\)\(a\)](#) (with [art. 5](#), [Sch. 12](#))

- 106 (1) In subsection (1) of section 178 of that Act (reciprocal arrangements with Northern Ireland: income-related benefits and child benefit), after the words “Jobseekers Act 1995” there shall be inserted the words “, Chapter II of Part I of the Social Security Act 1998”.
- (2) In subsection (3) of that section, after the words “Jobseekers Act 1995”, in each place where they occur, there shall be inserted the words “, Chapter II of Part I of the Social Security Act 1998”.

Commencement Information

I295 Sch. 7 para. 106 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](#))

I296 Sch. 7 para. 106 in force at 5.10.1999 for specified purposes by [S.I. 1999/2739](#), [art. 2](#), [Sch. 1](#) (with [art. 3](#), [Sch. 2](#))

I297 Sch. 7 para. 106 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](#))

I298 Sch. 7 para. 106 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](#))

- 107 (1) In subsection (3)(a) of section 179 of that Act (reciprocal agreements with countries outside the United Kingdom), after the words “Jobseekers Act 1995” there shall be inserted the words “, Chapter II of Part I of the Social Security Act 1998”.
- (2) After subsection (4)(aa) of that section there shall be inserted the following paragraph—
- “(ab) to Chapter II of Part I of the Social Security Act 1998; and”.

Commencement Information

I299 Sch. 7 para. 107 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](#))

I300 Sch. 7 para. 107 in force at 6.9.1999 for specified purposes by [S.I. 1999/2422](#), [art. 2\(c\)](#), [Sch. 1](#) (with [art. 4](#), [Sch. 14](#))

I301 Sch. 7 para. 107 in force at 5.10.1999 for specified purposes by [S.I. 1999/2739](#), [art. 2](#), [Sch. 1](#) (with [art. 3](#), [Sch. 2](#))

I302 Sch. 7 para. 107 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](#))

I303 Sch. 7 para. 107 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](#))

- 108 In section 180 of that Act (payment of travelling expenses by Secretary of State)—

Status: Point in time view as at 16/11/2023.

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- (a) in paragraph (a), after the words “the Social Security (Recovery of Benefits) Act 1997” there shall be inserted the words “, Chapter II of Part I of the Social Security Act 1998”; and
- (b) in paragraph (b)(i), after the words “the Social Security (Recovery of Benefits) Act 1997” there shall be inserted the words “, Chapter II of Part I of the Social Security Act 1998”.

Commencement Information

- I304** Sch. 7 para. 108 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](#))
- I305** Sch. 7 para. 108 in force at 6.9.1999 for specified purposes by [S.I. 1999/2422](#), [art. 2\(c\)](#), [Sch. 1](#) (with [art. 4](#), [Sch. 14](#))
- I306** Sch. 7 para. 108 in force at 5.10.1999 for specified purposes by [S.I. 1999/2739](#), [art. 2](#), [Sch. 1](#) (with [art. 3](#), [Sch. 2](#))
- I307** Sch. 7 para. 108 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](#))
- I308** Sch. 7 para. 108 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](#))

109 In section 189 of that Act (regulations and orders: general), the following shall cease to have effect, namely—

- (a) in subsection (1), the words “subsection (2) below and to”;
- (b) subsection (2);
- (c) in subsection (4), the words “24 or”;
- (d) in subsection (5), the words “(other than the power conferred by section 24 above)”;
- (e) in subsection (6), the word “24,”; and
- (f) subsection (10).

Commencement Information

- I309** Sch. 7 para. 109 in force at 6.9.1999 for specified purposes by [S.I. 1999/2422](#), [art. 2\(c\)](#), [Sch. 1](#) (with [art. 4](#), [Sch. 14](#))
- I310** Sch. 7 para. 109 in force at 5.10.1999 for specified purposes by [S.I. 1999/2739](#), [art. 2](#), [Sch. 1](#) (with [art. 3](#), [Sch. 2](#))
- I311** Sch. 7 para. 109 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](#))
- I312** Sch. 7 para. 109 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](#))

110 (1) In subsection (1)(a) of section 190 of that Act (instruments containing provisions under certain provisions to be subject to the affirmative Parliamentary procedure)—

- ^{F81}(a)
- (b) “146,” shall cease to have effect.

(2) Subsection (4) of that section shall cease to have effect.

Status: Point in time view as at 16/11/2023.

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Textual Amendments

- F81** Sch. 7 para. 110(1)(a) repealed (6.4.2000) by [Welfare Reform and Pensions Act 1999 \(c. 30\)](#), s. 89(3)(c), [Sch. 13 Pt. VI](#); S.I. 1999/3420, art. 4(c)(e)

Commencement Information

- I313** Sch. 7 para. 110 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](#))
- I314** Sch. 7 para. 110(1)(b) in force at 6.4.1999 by S.I. 1999/418, [art. 2\(2\)\(3\)\(a\)](#)

- 111 In section 191 of that Act (interpretation)—
- (a) the definitions of “Commissioner”, “the disablement questions”, “5 year general qualification”, “President” and “10 year general qualification” shall cease to have effect; and
 - (b) in the definition of “claimant” (in relation to industrial injuries benefit), for the words “section 44 above” there shall be substituted the words “section 29 of the Social Security Act 1998”.

Commencement Information

- I315** Sch. 7 para. 111 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](#))
- I316** Sch. 7 para. 111(b) 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](#))

- 112 In subsection (5) of section 192 of that Act (short title, commencement and extent), the words “section 24;” shall cease to have effect.

Commencement Information

- I317** Sch. 7 para. 112 in force at 6.9.1999 for specified purposes by S.I. 1999/2422, art. 2(c), [Sch. 1](#) (with art. 4, [Sch. 14](#))
- I318** Sch. 7 para. 112 in force at 5.10.1999 for specified purposes by S.I. 1999/2739, art. 2, [Sch. 1](#) (with art. 3, [Sch. 2](#))
- I319** Sch. 7 para. 112 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](#))

- 113 In Part I of Schedule 4 to that Act (persons employed in social security administration or adjudication)—

- (a) the entry headed “*Adjudication officers*” shall cease to have effect;
- ^{F82}(b)
- (c) in the entry headed “*The Social Fund*”, the words “A social fund officer” shall cease to have effect; and
- (d) at the end of the entry headed “*Former officers*” there shall be inserted the words—

“A Chief Adjudication Officer.

An adjudication officer.

A social fund officer.

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A clerk to, or other officer or member of the staff of, the former social security appeal tribunal, the former disability appeal tribunal or the former medical appeal tribunal.”

Textual Amendments

F82 Sch. 7 para. 113(b) repealed (3.11.2008) by [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 1(1), **Sch. 3 para. 228(d)**

Commencement Information

I320 Sch. 7 para. 113 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](#))

- 114 (1) In Part I of Schedule 7 to that Act (regulations not requiring prior submission to Social Security Advisory Committee), in paragraph 3(a), for the words “section 141, 143 or 145 above” there shall be substituted the words “section 141, 143, 143A or 145 above”.
- (2) In Part II of that Schedule (regulations not requiring prior submission to Industrial Injuries Advisory Council), in paragraph 12, for the words “section 141, 143 or 150 above” there shall be substituted the words “section 141, 143, 143A or 150 above”.

Commencement Information

I321 Sch. 7 para. 114 in force at 8.9.1998 for specified purposes and 6.4.1999 in so far as not already in force by [S.I. 1998/2209](#), art. 2(b)(c), **Sch. Pts. II, III**

- 115 In paragraph 1(6) of Schedule 9 to that Act (old cases payments administration), after the words “this Act” there shall be inserted the words “, Chapter II of Part I of the Social Security Act 1998”.

Commencement Information

I322 Sch. 7 para. 115 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](#))

- 116 (1) In sub-paragraph (1) of paragraph 3 of Schedule 10 to that Act (supplementary benefit), for the words “Sections 20 to 29, 36 to 43, 51 to 61” there shall be substituted the words “Sections 8 to 18, 29 to 31 and 39 of the Social Security Act 1998”.
- (2) In sub-paragraph (2) of that paragraph, for the words “section 59 above” there shall be substituted the words “section 16 of the Social Security Act 1998”.

Commencement Information

I323 Sch. 7 para. 116 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](#))

Status: Point in time view as at 16/11/2023.

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Local Government Finance Act 1992 (c. 14)

- 117 In sub-paragraph (2)(a) of paragraph 6 of Schedule 4 to the Local Government Finance Act 1992 (recovery of council tax etc. by deductions from income support or jobseeker’s allowance), for the words “appeals and reviews” there shall be substituted the words “appeals to appeal tribunals constituted under Chapter I of Part I of the Social Security Act 1998 and decisions under section 9 or 10 of that Act”.

Commencement Information

- I324** Sch. 7 para. 117 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)
- I325** Sch. 7 para. 117 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)

Tribunals and Inquiries Act 1992 (c. 53)

- 118 (1) In subsection (3) of section 6 of the Tribunals and Inquiries Act 1992 (appointment of chairmen of certain tribunals), for the words “paragraph 7, 38(a), 41(a), (b), (c) or (e) or 43” there shall be substituted the words “paragraph 7(b) or 38(a)”.
- (2) Subsection (4) of that section shall cease to have effect.

Commencement Information

- I326** Sch. 7 para. 118 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)
- I327** Sch. 7 para. 118(1) in force at 1.6.1999 for specified purposes by S.I. 1999/1510, art. 2(g)(vi) (with arts. 48-51)
- I328** Sch. 7 para. 118(1)(2) 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)

- 119 In subsection (2) of section 7 of that Act (concurrence required for removal of members of certain tribunals), for “43, 48 or 56(a)” there shall be substituted “48 or 56(a)”.

Commencement Information

- I329** Sch. 7 para. 119 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)

- 120 In subsection (5) of section 13 of that Act (power to apply Act to additional tribunals and to repeal or amend certain provisions)—
- (a) in paragraph (a), for “35(a) and (d)” there shall be substituted “35(d)”; and
- (b) paragraph (b) shall cease to have effect.

Commencement Information

- I330** Sch. 7 para. 120(b) 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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- 121 (1) In paragraph 7 of Schedule 1 to that Act (tribunals under direct supervision of Council)—
- (a) for sub-paragraph (a) there shall be substituted the following sub-paragraph—
 - “(a) Appeal tribunals constituted under Chapter I of Part I of the Social Security Act 1998 (c. 14)”; and
 - (b) in sub-paragraph (b), for the words “that Act” there shall be substituted the words “the Child Support Act 1991 (c. 48)”.
- (2) In paragraph 41 of that Schedule—
- (a) for sub-paragraph (a) there shall be substituted the following sub-paragraph—
 - “(a) Appeal tribunals constituted under Chapter I of Part I of the Social Security Act 1998 (c. 14)”; and
 - (b) sub-paragraphs (b), (c) and (e) shall cease to have effect; and
 - (c) in sub-paragraph (d), for the words “section 52 of that Act” there shall be substituted the words “Schedule 4 to the Social Security Act 1998 (c. 14)”.

Commencement Information

- I331** Sch. 7 para. 121 in force at 4.3.1999 for specified purposes by S.I. 1999/528, art. 2(a), **Sch. 1**
- I332** Sch. 7 para. 121(1) in force at 1.6.1999 in so far as not already in force by S.I. 1999/1510, **art. 2(g)(vii)** (with arts. 48-51)
- I333** Sch. 7 para. 121(2) 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)
- I334** Sch. 7 para. 121(2)(a)(c) in force at 6.9.1999 for specified purposes by S.I. 1999/2422, art. 2(c), **Sch. 1** (with art. 4, Sch. 14)
- I335** Sch. 7 para. 121(2)(a)(c) in force at 5.10.1999 for specified purposes by S.I. 1999/2739, art. 2, **Sch. 1** (with art. 3, Sch. 2)
- I336** Sch. 7 para. 121(2)(a)(b) 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)

- 122 (1) Paragraph 3 of Schedule 2 to that Act (transitory provisions) shall cease to have effect.
- (2) In paragraph 4 of that Schedule—
- (a) in sub-paragraph (a), for the words “1(a), 2(a) or 3(a)” there shall be substituted the words “1(a) or 2(a)”; and
 - (b) in sub-paragraph (b), for the words “1(b), 2(b) or 3(b)” there shall be substituted the words “1(b) or 2(b)” and for the words “1(a), 2(a) or 3(a)” there shall be substituted the words “1(a) or 2(a)”.

Commencement Information

- I337** Sch. 7 para. 122 in force at 1.6.1999 by S.I. 1999/1510, **art. 2(g)(vii)** (with arts. 48-51)

Judicial Pensions and Retirement Act 1993 (c. 8)

- 123 (1) In Part II of Schedule 1 to the Judicial Pensions and Retirement Act 1993 (other appointments)—

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- (a) in the entry relating to the Chief or other Social Security Commissioner, for the words “section 52(2) of the Social Security Administration Act 1992” there shall be substituted the words “paragraph 1(2) of Schedule 4 to the Social Security Act 1998”; and
- (b) for the entry relating to the President of social security appeal tribunals, medical appeal tribunals, disability appeal tribunals and child support appeal tribunals there shall be substituted the following entry—

“President of appeal tribunals (within the meaning of Chapter I of Part I of the Social Security Act 1998), appointed under section 5 of that Act”.

- (2) In that Part of that Schedule, the following entries shall cease to have effect, namely—

“Chairman of social security appeal tribunals, medical appeal tribunals and disability appeal tribunals”; and

“Chairman of child support appeal tribunals”.

Commencement Information

- I338** Sch. 7 para. 123 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)
- I339** Sch. 7 para. 123(1)(a) in force at 6.9.1999 for specified purposes by S.I. 1999/2422, art. 2(c), **Sch. 1** (with art. 4, Sch. 14)
- I340** Sch. 7 para. 123(1)(a) in force at 5.10.1999 for specified purposes by S.I. 1999/2739, art. 2, **Sch. 1** (with art. 3, Sch. 2)
- I341** Sch. 7 para. 123(1)(b) in force at 1.6.1999 by S.I. 1999/1510, art. 2(g)(vii) (with arts. 48-51)
- I342** Sch. 7 para. 123(2) in force at 1.6.1999 for specified purposes by S.I. 1999/1510, art. 2(g)(viii) (with arts. 48-51)
- I343** Sch. 7 para. 123(2) 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)

- 124 (1) In Schedule 5 to that Act (retirement provisions: the relevant offices)—

- (a) in the entry relating to the Chief or other Social Security Commissioner, for the words “section 52(2) of the Social Security Administration Act 1992” there shall be substituted the words “paragraph 1(2) of Schedule 4 to the Social Security Act 1998”; and
- (b) for the entry relating to the President of social security appeal tribunals, medical appeal tribunals, disability appeal tribunals and child support appeal tribunals there shall be substituted the following entry—

“President of appeal tribunals (within the meaning of Chapter I of Part I of the Social Security Act 1998) appointed under section 5 of that Act”.

- (2) In that Schedule, the following entries shall cease to have effect, namely—

“Chairman of social security appeal tribunals, medical appeal tribunals and disability appeal tribunals”;

“Chairman of child support appeal tribunals”; and

“Chairman of vaccine damage tribunals”.

Status: Point in time view as at 16/11/2023.

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Commencement Information

- I344** Sch. 7 para. 124 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)
- I345** Sch. 7 para. 124(1)(a) in force at 6.9.1999 for specified purposes by S.I. 1999/2422, art. 2(c), **Sch. 1** (with art. 4, Sch. 14)
- I346** Sch. 7 para. 124(1)(a) in force at 5.10.1999 for specified purposes by S.I. 1999/2739, art. 2, **Sch. 1** (with art. 3, Sch. 2)
- I347** Sch. 7 para. 124(1)(b) in force at 1.6.1999 by S.I. 1999/1510, art. 2(g)(vii) (with arts. 48-51)
- I348** Sch. 7 para. 124(2) in force at 1.6.1999 for specified purposes by S.I. 1999/1510, art. 2(g)(viii) (with arts. 48-51)
- I349** Sch. 7 para. 124(2) 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)

- 125 In paragraph 5(5) of Schedule 7 to that Act (ascertainment of potential retirement date), sub-paragraphs (iii) and (iv) shall cease to have effect.

Commencement Information

- I350** Sch. 7 para. 125 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)

Pension Schemes Act 1993 (c. 48)

- ^{F83}126

Textual Amendments

- F83** Sch. 7 para. 126 repealed (6.4.2012 being "the abolition date" for the purposes of s. 15(1) of the amending Act) by Pensions Act 2007 (c. 22), s. 27(6), **Sch. 7 Pt. 6** (with Sch. 4 Pt. 3); S.I. 2011/1267, art. 2(a)

- 127 For subsections (1) and (1A) of section 41 of that Act (reduced rates of Class 1 contributions) there shall be substituted the following subsections—

“(1) Subsections (1A) to (1C) apply where—

- (a) the earnings paid to or for the benefit of an earner in any tax week are in respect of an employment which is contracted-out employment at the time of the payment, and
- (b) the earner’s service in the employment is service which qualifies him for a pension provided by a salary related contracted-out scheme;

and in subsections (1A) and (1B) “the relevant part”, in relation to those earnings, means so much of those earnings as exceeds the current lower earnings limit but not the current upper earnings limit for that week (or the prescribed equivalents if the earner is paid otherwise than weekly).

- (1A) The amount of the primary Class 1 contribution in respect of the relevant part of those earnings (“amount A”) shall be reduced by an amount equal to 1.6 per cent of that part.

Status: Point in time view as at 16/11/2023.

Changes to legislation: Social Security Act 1998 is up to date with all changes known to be in force on or before 21 June 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)

- (1B) The amount of any secondary Class 1 contribution in respect of the earnings (“amount B”) shall be reduced by an amount equal to 3 per cent of the relevant part of those earnings (“amount C”).
- (1C) Where amount C exceeds amount B, the excess shall be set off against the amount which the secondary contributor is liable to pay (under paragraph 3 of Schedule 1 to the Social Security Contributions and Benefits Act 1992) in respect of amount A.”

Commencement Information

I351 Sch. 7 para. 127 in force at 6.4.1999 by [S.I. 1999/418](#), [art. 2\(2\)\(3\)\(a\)](#)

128 For subsections (1) and (2) of section 42A of that Act (reduced rates of Class 1 contributions, and rebates) there shall be substituted the following subsections—

- “(1) Subsections (2) to (3) apply where—
- (a) the earnings paid to or for the benefit of an earner in any tax week are in respect of an employment which is contracted-out employment at the time of the payment, and
 - (b) the earner’s service in the employment is service which qualifies him for a pension provided by a money purchase contracted-out scheme;
- and in subsections (2) and (2A) “the relevant part”, in relation to those earnings, means so much of those earnings as exceeds the current lower earnings limit but not the current upper earnings limit for that week (or the prescribed equivalents if the earner is paid otherwise than weekly).
- (2) The amount of the primary Class 1 contribution in respect of the relevant part of those earnings (“amount A”) shall be reduced by an amount equal to the appropriate flat-rate percentage of that part.
- (2A) The amount of any secondary Class 1 contribution in respect of the earnings (“amount B”) shall be reduced by an amount equal to the appropriate flat-rate percentage of the relevant part of those earnings (“amount C”).
- (2B) Where amount C exceeds amount B, the excess shall be set off against the amount which the secondary contributor is liable to pay (under paragraph 3 of Schedule 1 to the Social Security Contributions and Benefits Act 1992) in respect of amount A.”

Commencement Information

I352 Sch. 7 para. 128 in force at 6.4.1999 by [S.I. 1999/418](#), [art. 2\(2\)\(3\)\(a\)](#)

129 In subsection (6)(c) of section 158 of that Act (disclosure of information between government departments etc.), for the words “sections 17 to 62 of the Social Security Administration Act 1992” there shall be substituted the words “Chapter II of Part I of the Social Security Act 1998”.

Status: Point in time view as at 16/11/2023.

Changes to legislation: Social Security Act 1998 is up to date with all changes known to be in force on or before 21 June 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)

Commencement Information

- I353** Sch. 7 para. 129 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](#))
- I354** Sch. 7 para. 129 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](#))

130^{F84}(1) In subsection (3) of section 167 of that Act (application of general provisions relating to administration of social security), for the words “Section 58 of that Act (regulations as to determination of questions and matters arising out of, or pending, reviews and appeals)” there shall be substituted the words “Section 11 of the Social Security Act 1998 (regulations with respect to decisions)”.

(2) Subsection (4) of that section shall cease to have effect.]

Textual Amendments

- F84** Sch. 7 para. 130 repealed (5.7.1999 in relation to the repeal of Sch. 7 para. 130(1)) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\)](#), [s. 28\(3\)](#), [Sch. 10 Pt. 1](#) (with [Sch. 8](#)); [S.I. 1999/1662](#), [art. 2\(b\)](#), [Sch. Pt. 2](#) (with [art. 4](#))

Commencement Information

- I355** Sch. 7 para. 130(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](#))

131 For section 170 of that Act there shall be substituted the following section—

“170 Decisions and appeals

- (1) Section 2 (use of computers) of the Social Security Act 1998 (“the 1998 Act”) applies as if, for the purposes of subsection (1) of that section, this Act were a relevant enactment.
- (2) Sections 8, 9 and 10 of the 1998 Act (decisions by the Secretary of State, revision of decisions and decisions superseding earlier decisions) apply as if, for the purposes of section 8(1)(c) of that Act, this Act were a relevant enactment.
- (3) Regulations may make provision—
- with respect to the procedure to be adopted on any application made under section 9 or 10 of the 1998 Act by virtue of subsection (2); and
 - generally with respect to such applications, and revisions under section 9 and decisions under section 10,
- but may not prevent such a revision or decision being made without such an application.
- (4) Section 12 of the 1998 Act (appeal to appeal tribunal) applies as if, for the purposes of subsection (1)(b) of that section, any decision of the Secretary of State falling to be made under this Act were a decision falling within Schedule 3 to that Act.”

Status: Point in time view as at 16/11/2023.

Changes to legislation: Social Security Act 1998 is up to date with all changes known to be in force on or before 21 June 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)

Commencement Information

- I356** Sch. 7 para. 131 in force at 4.3.1999 for specified purposes by S.I. 1999/528, art. 2(a), **Sch.**
I357 Sch. 7 para. 131 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)

^{F85}132

Textual Amendments

- F85** Sch. 7 para. 132 repealed (5.7.1999) by **Social Security Contributions (Transfer of Functions, etc.) Act 1999** (c. 2), s. 28(3), **Sch. 10 Pt. I** (with Sch. 8); S.I. 1999/1662, art. 2(b), Sch. Pt. 2 (with art. 4)

Jobseekers Act 1995 (c. 18)

- 133 After subsection (3) of section 2 of the Jobseekers Act (the contribution-based conditions) there shall be inserted the following subsection—
- “(3A) Where primary Class 1 contributions have been paid or treated as paid on any part of a person’s earnings, subsections (2)(b) and (3) above shall have effect as if such contributions had been paid or treated as paid on so much of the earnings as did not exceed the upper earnings limit.”

Commencement Information

- I358** Sch. 7 para. 133 in force at 6.4.1999 by S.I. 1999/418, art. 2(2)(3)(a)

- 134^{F86}(1) In subsection (6) of section 6 of that Act (availability for employment)—
- (a) the words “(“the first determination”)” shall cease to have effect; and
- (b) for the words “on a review of the first determination” there shall be substituted the words “under section 9 or 10 of the Social Security Act 1998”.
- (2) In subsection (8) of that section, for the words “an adjudication officer” there shall be substituted the words “the Secretary of State”.]

Textual Amendments

- F86** Sch. 7 para. 134 repealed (29.4.2013 for specified purposes and subsequently on the days on which and for the purposes for which “the amending provisions” are brought into force by secondary legislation) by **Welfare Reform Act 2012** (c. 5), s. 150(3), **Sch. 14 Pt. 4**; S.I. 2013/983, art. 7(1)(e) (with art. 7(2)) (as amended: (1.7.2013) by S.I. 2013/1511, art. 6)

Commencement Information

- I359** Sch. 7 para. 134 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)

- 135 ^{F87}In subsection (7) of section 7 of that Act (actively seeking employment)—
- (a) the words “(“the first determination”)” shall cease to have effect; and

Status: Point in time view as at 16/11/2023.

Changes to legislation: Social Security Act 1998 is up to date with all changes known to be in force on or before 21 June 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)

- (b) for the words “on a review of the first determination” there shall be substituted the words “under section 9 or 10 of the Social Security Act 1998”.]

Textual Amendments

F87 Sch. 7 para. 135 repealed (29.4.2013 for specified purposes and subsequently on the days on which and for the purposes for which "the amending provisions" are brought into force by secondary legislation) by [Welfare Reform Act 2012 \(c. 5\), s. 150\(3\)](#), [Sch. 14 Pt. 4](#); [S.I. 2013/983, art. 7\(1\)\(e\)](#) (with [art. 7\(2\)](#)) (as amended: (1.7.2013) by [S.I. 2013/1511, art. 6](#))

Commencement Information

I360 Sch. 7 para. 135 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](#))

- 136 (1) In subsection (6) of section 9 of that Act (the jobseeker’s agreement), for the words “an adjudication officer” there shall be substituted the words “the Secretary of State”.
- (2) In subsection (7) of that section—
- (a) for the words “An adjudication officer to whom a reference is made under subsection (6)” there shall be substituted the words “On a reference under subsection (6) the Secretary of State”; and
- (b) for the words “the adjudication officer” there shall be substituted the words “the Secretary of State”.
- (3) In subsection (8) of that section, for the words “an adjudication officer”, in each place where they occur, there shall be substituted the words “the Secretary of State”.
- (4) Subsection (9) of that section shall cease to have effect.

Commencement Information

I361 Sch. 7 paras. 136-146 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](#))

- 137 (1) In subsection (5) of section 10 of that Act (variation of jobseeker’s agreement), for the words “an adjudication officer” there shall be substituted the words “the Secretary of State”.
- (2) In subsection (6) of that section, for the words “An adjudication officer to whom a reference is made under subsection (5)” there shall be substituted the words “On a reference under subsection (5) the Secretary of State”.
- (3) In subsection (7) of that section, for the words “an adjudication officer”, in each place where they occur, there shall be substituted the words “the Secretary of State”.
- (4) Subsection (8) of that section shall cease to have effect.

Commencement Information

I362 Sch. 7 paras. 136-146 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](#))

Status: Point in time view as at 16/11/2023.

Changes to legislation: Social Security Act 1998 is up to date with all changes known to be in force on or before 21 June 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)

- 138 Section 11 of that Act (jobseeker’s agreement: reviews and appeals) shall cease to have effect.

Commencement Information

I363 Sch. 7 paras. 136-146 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](#))

- 139 (1) In subsection (3) of section 16 of that Act (severe hardship), for paragraph (b) there shall be substituted the following paragraph—

“(b) it appears to him that the person concerned has, without good cause—

- (i) neglected to avail himself of a reasonable opportunity of a place on a training scheme; or
- (ii) after a place on such a scheme has been notified to him by an employment officer as vacant or about to become vacant, refused or failed to apply for it or to accept it when offered to him; or”.

- (2) For subsection (4) of that section there shall be substituted the following subsection—

“(4) In this section—

“employment officer” means an officer of the Secretary of State or such other person as may be designated for the purposes of this section by an order made by the Secretary of State;

“period” includes—

- (a) a period of a determinate length;
- (b) a period defined by reference to the happening of a future event; and
- (c) a period of a determinate length but subject to earlier determination upon the happening of a future event;

“training scheme” has such meaning as may be prescribed.”

Commencement Information

I364 Sch. 7 paras. 136-146 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](#))

- 140 (1) In subsection (2) of section 17 of that Act (reduced payments), for the word “either” there shall be substituted the word “any”.

- (2) In subsection (3) of that section, for paragraph (b) there shall be substituted the following paragraphs—

“(b) he has given up a place on a training scheme, or failed to attend such a scheme on which he has been given a place, and no certificate has been issued to him under subsection (4);

(c) he has lost his place on such a scheme through misconduct.”

- (3) For subsections (4) and (5) of that section there shall be substituted the following subsections—

Status: Point in time view as at 16/11/2023.

Changes to legislation: Social Security Act 1998 is up to date with all changes known to be in force on or before 21 June 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)

- “(4) Where a young person who has given up a place on a training scheme, or failed to attend such a scheme on which he has been given a place—
- (a) claims that there was good cause for his doing so; and
 - (b) applies to the Secretary of State for a certificate under this subsection,
- the Secretary of State shall, if he is satisfied that there was good cause, issue a certificate to that effect and give a copy of it to the young person.
- (5) In this section—
- “training scheme” has such meaning as may be prescribed;
 - “young person” means a person who has reached the age of 16 but not the age of 18.”

Commencement Information

I365 Sch. 7 paras. 136-146 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](#))

^{F88}141

Textual Amendments

F88 Sch. 7 para. 141 repealed (22.10.2012) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(3), [Sch. 14 Pt. 3](#); [S.I. 2012/2530](#), [art. 2\(2\)\(g\)](#)

- 142 In subsection (2)(b)(ii) of section 20 of that Act (exemptions from section 19), for the words “he has failed to complete a course of training” there shall be substituted the words “the condition mentioned in section 17(3)(b) or (c) is satisfied”.

Commencement Information

I366 Sch. 7 paras. 136-146 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](#))

- 143 In subsections (1) and (2) of section 31 of that Act (termination of awards), for the words “an adjudication officer” there shall be substituted the words “the Secretary of State”.

Commencement Information

I367 Sch. 7 paras. 136-146 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](#))

- 144 In subsection (1) of section 35 of that Act (interpretation)—
- (a) the definition of “adjudication officer” shall cease to have effect; and
 - (b) in the definition of “entitled”, for the words “sections 1 and 68 of the Administration Act” there shall be substituted the words “section 1 of the Administration Act and section 27 of the Social Security Act 1998”.

Status: Point in time view as at 16/11/2023.

Changes to legislation: Social Security Act 1998 is up to date with all changes known to be in force on or before 21 June 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)

Commencement Information

I368 Sch. 7 paras. 136-146 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](#))

- 145 In subsection (1) of section 36 of that Act (regulations and orders), for the words “9(13) or 19(10)(a)” there shall be substituted the words “9(13), 16(4) or 19(10)(a)”.

Commencement Information

I369 Sch. 7 paras. 136-146 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](#))

- 146 In paragraph 10(2) of Schedule 1 to that Act (supplementary provisions), for the words “section 5(1)(n) of the Administration Act” there shall be substituted the words “section 21(2) of the Social Security Act 1998”.

Commencement Information

I370 Sch. 7 paras. 136-146 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](#))

Industrial Tribunals Act 1996 (c. 17)

- 147 In subsection (5) of section 16 of the Industrial Tribunals Act 1996 (power to provide for recoupment of benefits)—
- (a) in paragraph (a), the words “adjudication officers or” shall cease to have effect; and
 - (b) for paragraph (d) there shall be substituted the following paragraphs—
 - “(cc) provide for the determination by the Secretary of State of any issue arising as to the total or partial recoupment in pursuance of the regulations of a jobseeker’s allowance, unemployment benefit or income support,
 - (d) confer on an employee a right of appeal to an appeal tribunal constituted under Chapter I of Part I of the Social Security Act 1998 against any decision of the Secretary of State on any such issue, and”.

Commencement Information

I371 Sch. 7 para. 147 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](#))

I372 Sch. 7 para. 147 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](#))

Employment Rights Act 1996 (c. 18)

Status: Point in time view as at 16/11/2023.

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Textual Amendments

F89 Sch. 7 para. 148 repealed (1.4.1999) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\)](#), s. 28(3), **Sch. 10 Pt. I** (with Sch. 8); S.I. 1999/527, art. 2(b), Sch. 2 (with arts. 3-6)

Social Security (Recovery of Benefits) Act 1997 (c. 27)

149 (1) For subsection (1) of section 10 of the Social Security (Recovery of Benefits) Act 1997 (review of certificates of recoverable benefits) there shall be substituted the following subsection—

“(1) Any certificate of recoverable benefits may be reviewed by the Secretary of State—

- (a) either within the prescribed period or in prescribed cases or circumstances; and
- (b) either on an application made for the purpose or on his own initiative.”

(2) At the end of subsection (2) of that section there shall be inserted the words “or
(c) revoke the certificate.”

Commencement Information

I373 Sch. 7 para. 149 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)

I374 Sch. 7 para. 149(1) in force at 4.3.1999 for specified purposes by [S.I. 1999/528](#), art. 2(a), **Sch.**

150 (1) At the end of subsection (1) of section 11 of that Act (appeals against certificates of recoverable benefits) there shall be inserted the words “or

- (c) that listed benefits which have not been, and are not likely to be, paid to the injured person during the relevant period have been brought into account, or
- (d) that the payment on the basis of which the certificate was issued is not a payment within section 1(1)(a)”.

(2) In subsection (2) of that section, after paragraph (a) there shall be inserted the following paragraph—

“(aa) (in a case where that certificate was issued under section 7(2)(a)) the person to whom it was so issued, or”.

(3) Subsection (6) of that section shall cease to have effect.

Commencement Information

I375 Sch. 7 para. 150 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)

151 (1) For subsections (1) and (2) of section 12 of that Act (reference of questions to medical appeal tribunal) there shall be substituted the following subsection—

“(1) The Secretary of State must refer an appeal under section 11 to an appeal tribunal.”

Status: Point in time view as at 16/11/2023.

Changes to legislation: Social Security Act 1998 is up to date with all changes known to be in force on or before 21 June 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)

- (2) In subsection (3) of that section, for the words “any question referred to it under subsection (1)” there shall be substituted the words “any appeal under section 11”.
- (3) In subsection (4) of that section—
- (a) for the words “a reference under subsection (1) a medical appeal tribunal” there shall be substituted the words “an appeal under section 11 an appeal tribunal”; and
 - (b) at the end there shall be inserted the words “or
 - (c) declare that the certificate of recoverable benefits is to be revoked.”
- (4) In subsection (5) of that section—
- (a) for the words “the decisions of the tribunal on the questions referred to it under subsection (1), he must in accordance with those decisions” there shall be substituted the words “the decision of the tribunal on the appeal under section 11, he must in accordance with that decision”; and
 - (b) at the end there shall be inserted the words “or
 - (c) revoke the certificate.”
- (5) The following shall cease to have effect, namely—
- (a) subsection (6) of that section;
 - (b) in subsection (7) of that section, the words “under subsection (6)(b)”; and
 - (c) subsection (8) of that section.

Commencement Information

I376 Sch. 7 para. 151 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](#))

152 ^{F90}(1)

- (2) In subsection (2) of that section—
- (a) the word “or” at the end of paragraph (b) shall cease to have effect; and
 - (b) after that paragraph there shall be inserted the following paragraph—
- “(bb) (in a case where that certificate was issued under section 7(2)(a)) the person to whom it was so issued, or”.

^{F91}(3)

- (4) Subsection (4) of that section shall cease to have effect.

Textual Amendments

F90 Sch. 7 para. 152(1) repealed (3.11.2008) by [The Transfer of Tribunal Functions Order 2008](#) (S.I. 2008/2833), art. 1(1), [Sch. 3 para. 228\(d\)](#)

F91 Sch. 7 para. 152(3) repealed (3.11.2008) by [The Transfer of Tribunal Functions Order 2008](#) (S.I. 2008/2833), art. 1(1), [Sch. 3 para. 228\(d\)](#)

Commencement Information

I377 Sch. 7 para. 152 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](#))

Status: Point in time view as at 16/11/2023.

Changes to legislation: Social Security Act 1998 is up to date with all changes known to be in force on or before 21 June 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)

F92 153

Textual Amendments

F92 Sch. 7 para. 153 repealed (3.11.2008) by The Transfer of Tribunal Functions Order 2008 (S.I. 2008/2833), art. 1(1), **Sch. 3 para. 228(d)**

SCHEDULE 8

Section 86(2).

REPEALS

Commencement Information

- I378** Sch. 8 in force at 8.9.1998 for specified purposes and 6.4.1999 for specified purposes by S.I. 1998/2209, art. 2(a)(c)(d), **Sch. Pts. I, III**
- I379** Sch. 8 in force at 5.4.1999 for specified purposes by S.I. 1999/1055, **art. 2(c)** (with art. 3)
- I380** Sch. 8 in force at 6.4.1999 for specified purposes by S.I. 1999/526, **art. 2(3)(4)(c)**
- I381** Sch. 8 in force at 6.4.1999 for specified purposes by S.I. 1999/418, **art. 2(2)(3)(b)(c)**
- I382** Sch. 8 in force at 1.6.1999 for specified purposes by S.I. 1999/1510, **art. 2(f)** (with arts. 48-51)
- I383** Sch. 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)
- I384** Sch. 8 in force at 6.9.1999 for specified purposes by S.I. 1999/2422, **art. 2(b)** (with arts. 4, 5, Sch. 14) (as amended (25.11.1999) by S.I. 1999/3178, art. 3(20), Sch. 20 para. 2(b))
- I385** Sch. 8 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)
- I386** Sch. 8 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)
- I387** Sch. 8 in force at 2.7.2001 for specified purposes by S.I. 2001/2316, **art. 2(c)**

<i>Chapter</i>	<i>Short title</i>	<i>Extent of repeal</i>
1967 c. 13.	Parliamentary Commissioner Act 1967.	In Schedule 4, the following entries, namely— “Tribunals constituted in Great Britain under regulations made under section 4 of the Vaccine Damage Payments Act 1979”; “Child support appeal tribunals constituted under section 21 of the Child Support Act 1991”; “Social security appeal tribunals constituted under section 41 of the Social Security Administration Act 1992”;

Status: Point in time view as at 16/11/2023.

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<i>Chapter</i>	<i>Short title</i>	<i>Extent of repeal</i>
1975 c. 24.	House of Commons Disqualification Act 1975.	<p>“Disability appeal tribunals constituted under section 43 of that Act”; and “Medical appeal tribunals constituted under section 50 of that Act”.</p> <p>In Schedule 1, in Part III, in the entry relating to an adjudicating medical practitioner or specially qualified adjudicating medical practitioner, the words “Part II of the Social Security Administration Act 1992 or” and the following entries, namely—</p> <p>“Regional or other full-time chairman of a child support appeal tribunal established under section 21 of the Child Support Act 1991”; “A regional or other full-time Chairman of Social Security Appeal Tribunals, Medical Appeal Tribunals and Disability Appeal Tribunals”; “Chief Adjudication Officer appointed under section 39 of the Social Security Administration Act 1992”; “Chief Child Support Officer appointed under section 13(3) of the Child Support Act 1991”; “Member of a Medical Appeal Tribunal appointed under section 50 of the Social Security Administration Act 1992”; “Member of a panel appointed under section 6 of the Tribunals and Inquiries Act 1992 of persons to act as chairmen of Child Support Appeal Tribunals”;</p>

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<i>Chapter</i>	<i>Short title</i>	<i>Extent of repeal</i>
		“Member of a panel appointed under section 6 of the Tribunals and Inquiries Act 1992 of persons to act as chairmen of Social Security Appeal Tribunals, Medical Appeal Tribunals and Disability Appeal Tribunals”; “Member of a panel of persons who may be appointed to serve on a Vaccine Damage Tribunal”; and “President of Social Security Appeal Tribunals, Medical Appeal Tribunals and Disability Appeal Tribunals”.
1979 c. 17.	Vaccine Damage Payments Act 1979.	In section 5, subsections (1) to (3) and (5). In section 7(3), the words from “and in relation to” to the end. Section 12(1).
1983 c. 41.	Health and Social Services and Social Security Adjudications Act 1983.	Section 25. Schedule 8.
1987 c. 18.	Debtors (Scotland) Act 1987.	In section 1(5)(f), the word “; or” after sub-paragraph (ii). In section 5(4)(f), the word “; or” after sub-paragraph (ii).
1991 c. 48.	Child Support Act 1991.	In section 2, the words “or any child support officer”. In section 4(4), the words “or the child support officer”. In section 6(9), the words “or the child support officer”. In section 7(5), the words “or the child support officer”. Section 13. In section 14, subsections (2) and (2A) and, in subsection (3), the words “or by child support officers”.

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<i>Chapter</i>	<i>Short title</i>	<i>Extent of repeal</i>
1992 c. 4.	Social Security Contributions and Benefits Act 1992.	<p>In section 15(1), the words “or any child support officer”.</p> <p>Section 24(1A).</p> <p>In section 28B, subsections (4) and (5).</p> <p>Section 28G(1).</p> <p>In section 46(11), in the definition of “reduced benefit direction” the words “, binding on the adjudication officer,”.</p> <p>In section 54, the definitions of “adjudication officer”, “Chief Adjudication Officer”, “Chief Child Support Officer”, “child support appeal tribunal” and “child support officer”.</p> <p>In Schedule 1, in paragraph 16(10), the words “or a child support officer”.</p> <p>In Schedule 2, paragraph 2.</p> <p>Schedule 3.</p> <p>In Schedule 4A, in paragraph 1 the definition of “review”, in paragraph 4(1) the words “a child support officer or” and paragraph 6.</p> <p>In Schedule 5, paragraph 3(3).</p> <p>In section 122(1), the definitions of “initial primary percentage” and “main primary percentage”.</p> <p>Section 139(3).</p> <p>Section 140(4)(e).</p> <p>In Schedule 1, in paragraph 6(2)(b), the words “(being not less than one year after the end of the tax year in respect of which the sums are due)”.</p>

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<i>Chapter</i>	<i>Short title</i>	<i>Extent of repeal</i>
1992 c. 5.	Social Security Administration Act 1992.	<p>In Schedule 2, paragraph 3(1) (b) and, in paragraph 6(2), the words “or 88”.</p> <p>In Schedule 11, in paragraph 2(d), the words “(ii) she was entitled to a maternity allowance, or”.</p> <p>In section 5, in subsection (1), paragraphs (n) and (o), and subsection (4).</p> <p>In section 6(1), paragraphs (n) and (o).</p> <p>Part II.</p> <p>Section 116(6).</p> <p>In section 118(4), the words “for a particular contribution card or”, and the words “the card in question or”.</p> <p>Section 119(2).</p> <p>In section 120, in subsection (1), the words “or (2)(a)” and, in subsection (5), paragraph (b) and the word “or” immediately preceding that paragraph.</p> <p>In section 121, in subsections (1) and (2), the words “or (2)(a)”.</p> <p>Section 146.</p> <p>In section 147(1), (2) and (3), the words “or 146”.</p> <p>Section 164(5)(a).</p> <p>In section 189, in subsection (1), the words “subsection (2) below and to”, subsection (2), in subsection (4), the words “24 or”, in subsection (5), the words “(other than the power conferred by section 24 above)”, in subsection (6), the word “24,” and subsection (10).</p>

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<i>Chapter</i>	<i>Short title</i>	<i>Extent of repeal</i>
		In section 190, in subsection (1)(a), “146,” and subsection (4).
		In section 191, the definitions of “Commissioner”, “the disablement questions”, “5 year general qualification”, “President” and “10 year general qualification”.
		In section 192(5), the words “section 24;”.
		In Schedule 4, in Part I, the entry headed “ <i>Adjudication officers</i> ”, in the entry headed “ <i>Adjudicating bodies</i> ”, paragraphs (b) to (d) and in the entry headed “ <i>The Social Fund</i> ”, the words “A social fund officer”.
1992 c. 6.	Social Security (Consequential Provisions) Act 1992.	In Schedule 4, paragraph 12.
1992 c. 7.	Social Security Contributions and Benefits (Northern Ireland) Act 1992.	In Schedule 2, paragraph 3(1) (b) and, in paragraph 6(2), the words “or 88”.
1992 c. 14.	Local Government Finance Act 1992.	In Schedule 9, paragraph 14. In Schedule 13, paragraph 94.
1992 c. 53.	Tribunals and Inquiries Act 1992.	Section 6(4). In section 13(5), paragraph (b). In Schedule 1, in paragraph 41, sub-paragraphs (b), (c) and (e). In Schedule 2, paragraph 3. In Schedule 3, paragraph 36.
1993 c. 8.	Judicial Pensions and Retirement Act 1993.	In Schedule 1, in Part II, the following entries, namely— “Chairman of social security appeal tribunals, medical appeal tribunals and disability appeal tribunals”; and

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<i>Chapter</i>	<i>Short title</i>	<i>Extent of repeal</i>
		“Chairman of child support appeal tribunals”.
		In Schedule 5, the following entries, namely— “Chairman of social security appeal tribunals, medical appeal tribunals and disability appeal tribunals”; “Chairman of child support appeal tribunals”; and “Chairman of vaccine damage tribunals”.
		In Schedule 6, paragraphs 21 and 23(1).
		In Schedule 7, in paragraph 5(5), sub-paragraphs (iii) and (iv).
		In Schedule 8, paragraphs 21(1) and 23.
1993 c. 48.	Pension Schemes Act 1993.	Section 167(4).
		In Schedule 8, paragraphs 25, 33 and 34.
1994 c. 18.	Social Security (Incapacity for Work) Act 1994.	Section 6(2).
		In Schedule 1, paragraphs 11 and 46 to 48.
1994 c. 40.	Deregulation and Contracting Out Act 1994.	In Schedule 16, paragraph 20(1).
1995 c. 18.	Jobseekers Act 1995.	In section 6(6), the words “(“the first determination”)”.
		In section 7(7), the words “(“the first determination”)”.
		Section 9(9).
		Section 10(8).
		Section 11.
		In section 28, subsections (1) (b) and (3).
		In section 35(1), the definition of “adjudication officer”.

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<i>Chapter</i>	<i>Short title</i>	<i>Extent of repeal</i>
		In Schedule 2, paragraphs 20(3), 41 to 47 and 57.
1995 c. 26.	Pensions Act 1995.	Section 137(2).
		In Schedule 5, paragraph 70.
1995 c. 34.	Child Support Act 1995.	Sections 12 and 13.
		Section 14(1).
		Sections 15 and 16.
		In Schedule 3, paragraphs 3(2), 4 to 6, 7(2), 17 and 19(2).
1996 c. 17.	Industrial Tribunals Act 1996.	In section 16(5)(a), the words “adjudication officers or”.
		In Schedule 1, paragraph 7.
1996 c. 23.	Arbitration Act 1996.	In Schedule 3, paragraph 54.
1997 c. 27.	Social Security (Recovery of Benefits) Act 1997.	Section 11(6).
		In section 12, subsection (6), in subsection (7), the words “under subsection (6)(b)”, and subsection (8).
		In section 13, in subsection (2), the word “or” at the end of paragraph (b), and subsection (4).
1997 c. 47.	Social Security Administration (Fraud) Act 1997.	Sections 17 and 18.
		In Schedule 1, paragraph 2.
1998 c. 14.	Social Security Act 1998.	Section 83.
		Schedule 6.

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