



# Social Security Act 1998

## 1998 CHAPTER 14

### PART I

#### DECISIONS AND APPEALS

### CHAPTER II

#### SOCIAL SECURITY DECISIONS AND APPEALS

##### *Suspension and termination of benefit*

## 21 Suspension in prescribed circumstances

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an issue arises whether a decision as to an award of a relevant benefit should be revised (under section 9 above) or superseded (under section 10 above);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

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*Changes to legislation: Social Security Act 1998, Section 21 is up to date with all changes known to be in force on or before 20 August 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)*

the award of a relevant benefit (whether the same benefit or not) in the case itself ought to be revised or superseded.

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

<sup>F5</sup>(4) .....

#### Textual Amendments

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

#### Modifications etc. (not altering text)

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

#### Commencement Information

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

**Status:**

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