



# Social Security Act 1998

## 1998 CHAPTER 14

### PART I

#### DECISIONS AND APPEALS

#### CHAPTER I

#### GENERAL

#### *Appeals*

#### <sup>[F15]</sup> **President of appeal tribunals**

- (1) The Lord Chancellor may, after consultation with the Lord Advocate, appoint a President of appeal tribunals.
- (2) A person is qualified to be appointed President if—
  - <sup>[F2]</sup>(a) he satisfies the judicial-appointment eligibility condition on a 7-year basis; or]
  - (b) he is an advocate or solicitor in Scotland of at least <sup>[F3]</sup>7] years' standing.
- (3) Schedule 1 to this Act shall have effect for supplementing this section.]

#### **Textual Amendments**

- F1** S. 5 omitted except in relation to S. for specified purposes (3.11.2008) by virtue of [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), arts. 1(1)(5), **Sch. 3 para. 145**
- F2** S. 5(2)(a) substituted (21.7.2008) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), s. 148, **Sch. 10 para. 29(2)(a)**; S.I. 2008/1653, art. 2(d) (with arts. 3, 4)
- F3** Figure in s. 5(2)(b) substituted (21.7.2008) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), s. 148, **Sch. 10 para. 29(2)(b)**; S.I. 2008/1653, art. 2(d) (with arts. 3, 4)

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**Changes to legislation:** Social Security Act 1998, Section 5 is up to date with all changes known to be in force on or before 04 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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

- C1** Ss. 5-7 applied (with modifications) (25.2.2005) by [The Child Trust Funds \(Non-tax Appeals\) Regulations 2005 \(S.I. 2005/191\)](#), regs. 1(1), **5**
- C2** S. 5(1): 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.**
- C3** S. 5(1): 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**
- C4** S. 5(1): 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** S. 5 in force at 1.6.1999 by [S.I. 1999/1510](#), **art. 2(c)** (with arts. 48-51)
- I2** S. 5 in force at 29.11.1999 for further specified purposes by [S.I. 1999/3178](#), **art. 2(1)(b)** (with art. 4, [Schs. 21-23](#))
- I3** S. 5(3) in force at 31.3.2000 for further specified purposes by [S.I. 1999/3178](#), **art. 2(3)** (with art. 4, [Schs. 21-23](#))

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act applied (with modifications) by [S.I. 2010/1907 reg. 16\(2\)\(c\)Sch. 2](#)
- Act applied (with modifications) by [S.I. 2010/875 reg. 16Sch. 2](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2010/875 revoked (27.8.2010) before coming into force by S.I. 2010/1906, regs. 1(2), 2)
- Act power to apply (with modifications) conferred by [2004 c. 6 s. 24\(5\)-\(7\)](#)

**Whole provisions yet to be inserted into this Act (including any effects on those provisions):**

- s. 38(1A) inserted by [2009 c. 24 s. 20\(2\)](#) (This amendment not applied to [legislation.gov.uk](#). Ss. 16-21 repealed (1.4.2013) by 2012 c. 5, s. 73; S.I. 2012/3090, art. 2(1)(b))
- Sch. 2 para. 7A and cross-head inserted by [2012 c. 5 Sch. 2 para. 50\(3\)](#)
- Sch. 18 functions modified by [S.I. 2000/2853 reg. 3\(1\)Sch. 2 para. 4](#)
- Sch. 24 functions modified by [S.I. 2000/2853 reg. 3\(1\)Sch. 2 para. 5](#)