

## SCHEDULE 9

Article 3(9)

### MODIFICATION OF THE FINES (DEDUCTIONS FROM INCOME SUPPORT) REGULATIONS 1992

1. As if in regulation 1(2)(1) (interpretation)—
  - (a) the definition of “adjudication officer” were omitted;
  - (b) for the definition of “Commissioner” there were substituted the following definition—

““Commissioner” means the Chief or any other Social Security Commissioner appointed in accordance with section 14(12) of, and Schedule 4 to, the Social Security Act 1998 and includes a Tribunal of Commissioners constituted in accordance with section 16(7) of that Act;” and
  - (c) for the definition of “tribunal” there were substituted the following definition—

““tribunal” means an appeal tribunal constituted under Chapter I of Part I of the Social Security Act 1998; and”.
2. As if for the heading to regulation 4 there were substituted “Determination of application”.
3. As if in regulation 4(2)—
  - (a) in paragraph (1)—
    - (i) the words “refer it forthwith to an adjudication officer who shall” were omitted;
    - (ii) for the words “the Secretary of State” there were substituted the word “him”;
  - (b) in paragraphs (2) and (2A) for the words—
    - (i) “adjudication officer” there were substituted the words “Secretary of State”;
    - (ii) “the Secretary of State” there were substituted the word “him”;
  - (c) in paragraph (3)—
    - (i) for the words “adjudication officer” there were substituted the words “Secretary of State”;
    - (ii) for the words “reference from the Secretary of State” there were substituted the word “application”.
4. As if in regulation 5 (notification of decision)—
  - (a) for the words “the adjudication officer's” there were substituted the word “his”; and
  - (b) the words “from the date on which he receives that decision” were omitted.
5. As if in regulations 6(3) (deductions from offender’s income support or income-based jobseeker’s allowance) and 6A (deductions from offender’s contribution-based jobseeker’s allowance) for the words—
  - (a) “adjudication officer” there were substituted the words “Secretary of State”; and
  - (b) “the Secretary of State” there were substituted the word “he”.
6. As if in regulation 7(5) (circumstances, time of making and termination of deductions) for the words “refer those further applications to the adjudication officer” there were substituted the words “determine those further applications”.
7. As if for regulation 9 (appeal) there were substituted the following regulation—

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(1) There are amendments to regulation 1 which are not relevant to this Order.

(2) The relevant amendments are S.I.1996/2344 and 1997/827.

(3) Regulation 6 was amended and regulation 6A was inserted by S.I. 1996/2344.

**Status:** This is the original version (as it was originally made).

“**9.**—(1) Where the Secretary of State has determined a question under regulation 4, the offender may appeal to a tribunal.

(2) Subject to section 13 of the Social Security Act 1998, an appeal lies to a Commissioner from the decision of a tribunal.”

- 8.** As if regulations 10 to 15 were omitted.
- 9.** As if Schedules 1 and 2 were omitted.