
STATUTORY INSTRUMENTS

2008 No. 2685

**The Tribunal Procedure (First-tier Tribunal)
(Social Entitlement Chamber) Rules 2008**

PART 3

Proceedings before the Tribunal

CHAPTER 1

Before the hearing

Medical and physical examination in appeals under section 12 of the Social Security Act 1998

25.—(1) This rule applies only to appeals under section 12 of the Social Security Act 1998.

(2) At a hearing an appropriate member of the Tribunal may carry out a physical examination of a person if the case relates to—

- (a) the extent of that person's disablement and its assessment in accordance with section 68(6) of and Schedule 6 to, or section 103 of, the Social Security Contributions and Benefits Act 1992⁽¹⁾; or
- (b) diseases or injuries prescribed for the purpose of section 108 of that Act.

(3) If an issue which falls within Schedule 2 to these Rules (issues in relation to which the Tribunal may refer a person for medical examination) is raised in an appeal, the Tribunal may exercise its power under section 20 of the Social Security Act 1998 to refer a person to a health care professional approved by the Secretary of State for—

- (a) the examination of that person; and
- (b) the production of a report on the condition of that person.

(4) Neither paragraph (2) nor paragraph (3) entitles the Tribunal to require a person to undergo a physical test for the purpose of determining whether that person is unable to walk or virtually unable to do so.