1984 No. 144

SOCIAL SECURITY

The Social Security (Adjudication) Regulations (Northern Ireland) 1984

Made	*30th April 1984*
Coming into operation . . .	*4th June 1984*

ARRANGEMENT OF REGULATIONS

PART I

GENERAL

1. Citation, commencement and interpretation

PART II

COMMON PROVISIONS

2. Procedure in connection with determinations; and right to representation
3. Manner of making applications, appeals or references; and time limits
4. Oral hearings
5. Postponement and adjournment
6. Provision common to regulations 3, 4 and 5
7. Withdrawal of appeals, applications for leave to appeal and references
8. Medical references
9. Non-disclosure of medical evidence
10. Correction of accidental errors in decisions
11. Setting aside of decisions on certain grounds
12. Provisions common to regulations 10 and 11

PART III

ADJUDICATION BY THE DEPARTMENT

13. Construction of Part III
14. Application for decision of the Department
15. Statement of grounds for the Department's decision
16. Review or reference
17. Determination of industrial injuries questions by the Department

PART IV

ADJUDICATION BY ADJUDICATION OFFICERS

18. Procedure on claim or question involving question for determination by the Department

PART V

ADJUDICATION BY APPEAL TRIBUNALS

19. Oral hearing of appeals and references
20. Decisions of appeal tribunals
21. Application for leave to appeal to a Commissioner from an appeal tribunal

PART VI

FORFEITURE (NORTHERN IRELAND) ORDER 1982

22. Construction of Part VI
23. Reference of cases to Commissioner by adjudicating authorities where forfeiture rule question arises
24. Procedure after determination of forfeiture rule question
25. Miscellaneous provisions relating to references under regulation 23

PART VII

ADJUDICATION BY COMMISSIONERS

26. Application to a Commissioner for leave to appeal
27. Procedure before Commissioner on application for leave to appeal or appeal
28. Powers of Commissioner in supplementary benefit and family income supplement cases
29. Appeals to the courts
30. Time limits for making written observations

PART VIII

APPLICATION TO A CHAIRMAN OF A MEDICAL APPEAL TRIBUNAL FOR LEAVE TO APPEAL TO THE COURTS

31. Modification of the Act of 1980 in relation to appeals from a medical appeal tribunal to the courts on a question of law
32. Modification of the regulations in relation to application for leave to appeal from a decision of a medical appeal tribunal to the courts on a question of law

PART IX

MEDICAL ADJUDICATION

33. Construction of Part IX
34. Appointment of adjudicating medical practitioners
35. Determination of medical questions
36. Decisions of adjudicating medical authorities
37. Medical appeal tribunals
38. Disqualification from acting as an adjudicating medical authority or as a member thereof or as a member of a medical appeal tribunal
39. Application for review involving review of decision of a medical appeal tribunal

PART X

PRESCRIBED DISEASES

40. Construction of Part X
41. Application of Part III of the Act and of these regulations
42. Construction of references
43. Reference of diagnosis and recrudescence questions for medical report
44. Power to dispense with reference for medical report
45. Procedure on receipt of medical report
46. Appeal against decision of adjudication officer
47. Appeal or reference to medical appeal tribunal
48. Powers of medical appeal tribunal upon determining the question referred
49. Review of previous assessment following recrudescence decision
50. Review of decision on diagnosis or recrudescence question
51. Additional provisions relating to the powers and decisions of medical boards

PART XI

ADJUDICATION FOR MOBILITY ALLOWANCE

52. Application of the Act and regulations
53. Reference of medical questions for report
54. Power to dispense with reference for medical report
55. Procedure on receipt of medical report
56. Right of appeal
57. Appeal or reference to medical board
58. Appeal or reference to medical appeal tribunal
59. Review of decision on medical question

PART XII

ADJUDICATION BY THE ATTENDANCE ALLOWANCE BOARD

60. Definition of "the Board"
61. Application for reviews of determinations made by the Board
62. Reviews of determinations made by the Board
63. Appeals to a Commissioner on a question of law

PART XIII

ADJUDICATION IN SUPPLEMENTARY BENEFIT AND FAMILY INCOME SUPPLEMENT CASES

64. Application of the Act
65. Application of regulations
66. Decision of adjudication officer
67. Notification of decisions in supplementary benefit cases
68. Supplementary benefit questions not immediately determinable
69. Notification of decisions in family income supplement cases
70. Appeal to appeal tribunals

PART XIV

ADJUDICATION IN CHILD BENEFIT CASES

71. Construction of Part XIV
72. Determination of benefit questions
73. Reference of a special question
74. Additional power to review decisions
75. Payment of sums on account of benefit where appeal is pending
76. Date from which benefit is to be payable to a person in respect of a child in respect of whom another person has previously been awarded benefit
77. Review of decisions involving payment of benefit
78. Recovery of sums required to be repaid
79. Modification of section 119(2)
80. Recovery from benefit of overpaid interim benefit under Article 18 of the Child Benefit Order or of overpaid family allowances

PART XV

MISCELLANEOUS

81. Review of decisions involving payment or increase of benefit other than industrial injuries benefit, supplementary benefit, family income supplement or child benefit
82. Review of decisions involving payment or increase of industrial injuries benefit
83. Adjustment of benefit other than industrial injuries benefit, supplementary benefit, family income supplement or child benefit on review or appeal

84. Adjustment of industrial injuries benefit on review or appeal
85. Period to be taken into account by assessments revised on ground of unforeseen aggravation
86. Review in supplementary benefit cases
87. Review in family income supplement cases
88. Review of decisions on the ground of error of law
89. Re-entry into regular employment after retirement
90. Overpaid benefit to be treated as properly paid where additional supplementary benefit would otherwise have been payable

PART XVI

TRANSITIONAL PROVISIONS, SAVINGS AND REVOCATIONS

91. Transitional provisions
92. Savings for existing chairmen of tribunals
93. Revocations

SCHEDULES

Schedule 1. Provisions conferring powers exercised in making these regulations
Schedule 2. Time limits for making applications, appeals or references
Schedule 3. Modification of Part III of the Act in its application to benefit and claims and questions to which Part X of these regulations applies
Schedule 4. Provisions of the Act which apply for the determination of questions in supplementary benefit and family income supplement cases
Schedule 5. Regulations revoked

The Department of Health and Social Services for Northern Ireland, in exercise of the powers set out in Schedule 1 and of all other powers enabling it in that behalf, hereby makes the following regulations which only contain provisions made in consequence of the Social Security Adjudications (Northern Ireland) Order 1983(**a**) and before the expiry of the period of six months beginning with the commencement of Article 5(3) of that Order and which accordingly are not subject to the requirement of section 10 of the Social Security Act 1980(**b**) for prior reference to the Social Security Advisory Committee:

PART I

GENERAL

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Social Security (Adjudication) Regulations (Northern Ireland) 1984 and shall come into operation on 4th June 1984.

(2) In these regulations—

"the Act" means the Social Security (Northern Ireland) Act 1975(**c**);

"the Act of 1980" means the Social Security Act 1980;

(**a**) S.I. 1983/1524 (N.I. 17)
(**b**) 1980 c. 30
(**c**) 1975 c. 15