1982 No. 30

SUPPLEMENTARY BENEFIT AND FAMILY INCOME SUPPLEMENTS

The Supplementary Benefit and Family Income Supplements (Appeals) (Amendment) Rules (Northern Ireland) 1982

Made	*1st February 1982*
Coming into operation . . .	*8th March 1982*

The Department of Health and Social Services, in exercise of the powers conferred on it by Articles 20A and 34 of, and paragraph 9 of Schedule 4 to, the Supplementary Benefits (Northern Ireland) Order 1977(**a**) and of all other powers enabling it in that behalf, hereby makes the following rules:

Citation, commencement and interpretation

1.—(1) These rules may be cited as the Supplementary Benefit and Family Income Supplements (Appeals) (Amendment) Rules (Northern Ireland) 1982 and shall come into operation on 8th March 1982.

(2) In these rules "the principal rules" means the Supplementary Benefit and Family Income Supplements (Appeals) Rules (Northern Ireland) 1980(**b**).

Insertion of rule 5A in the principal rules

2. After rule 5 of the principal rules (time and manner of bringing appeals) there shall be inserted the following rule—

"*Withdrawal of appeals to tribunals*

5A.—(1) A person who has given notice of appeal in accordance with rule 5 may withdraw his appeal—

(*a*) by giving written notice of intention to withdraw to the tribunal before the date fixed for the hearing of the appeal, if the benefit officer, or where he is a party to the appeal, the supplement officer, gives his written consent to such withdrawal before the hearing begins, or

(*b*) by request made to the chairman of the tribunal for leave to withdraw, if the chairman at a hearing of the tribunal gives leave to withdraw.

(2) A notice of intention to withdraw an appeal, or a declaration made by or on behalf of the appellant of his desire to withdraw an appeal, may be treated as a request for leave within paragraph (1)(*b*)."

Amendment of rule 6 of the principal rules

3. In rule 6 of the principal rules (time and place of hearings before the tribunal)—

(*a*) in paragraph (2) after "Reasonable notice" there shall be inserted "(being not less than 10 days beginning with the day on which the notice is given and ending on the day before the hearing of the case is to take place)";

(*b*) in paragraph (3) for "proceed to consider and determine" there shall be substituted "proceed with".

(a) S.I. 1977/2156 (N.I. 27); Article 20A was inserted into that Order, and Schedule 4 was substituted, by the Social Security (Northern Ireland) Order 1979 (S.I. 1979/396 (N.I. 5)) and Article 20A was amended by the Social Security (Northern Ireland) Order 1980 (S.I. 1980/870 (N.I. 8))

(b) S.R. 1980 No. 381