1979 No. 397

PENSIONS (NORTHERN IRELAND)

Pensions Appeal Tribunals (Northern Ireland) (Amendment) Rules 1979

Made . . . . . *14th November* 1979

Coming into operation . . . *17th December* 1979

To be laid before Parliament

I, the Right Honourable ROBERT LYND ERSKINE, BARON LOWRY, Lord Chief Justice of Northern Ireland, by virtue of the powers conferred on me by paragraph 5 of the Schedule to the Pensions Appeal Tribunals Act 1943(a), and of all other powers enabling me in this behalf, hereby make the following Rules:

1. The Pensions Appeal Tribunals (Northern Ireland) Rules 1972(b), as amended(c), shall be further amended as follows:—

In rule 9 (which provides for the withdrawal of an appeal) the following paragraph shall be inserted after paragraph (2)—

"(3) In an assessment appeal the making of a new increased assessment for the period under appeal (whether covering additional disabilities or not) shall be deemed to be a decision by the Secretary of State in favour of the appellant and, on notice given in accordance with paragraph (2), the appeal shall be struck out, without prejudice to any appeal against that decision."

2. These Rules may be cited as the Pensions Appeal Tribunals (Northern Ireland) (Amendment) Rules 1979 and shall come into operation on the 17th day of December 1979.

Dated this 14th day of November, 1979.

Lowry
Lord Chief Justice.

(a) 1943 c. 39
(b) S.R. & O. (N.I.) 1972 No. 267 (p. 1420)
(c) S.R. & O. (N.I.) 1972 No. 338 (p. 1688); S.R. 1976 No. 73 (p. 359); S.R. 1978 No. 117; S.R. 1978 No. 169.