SUPPLEMENTARY PENSIONS.

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Appeal Tribunals.

THE SUPPLEMENTARY PENSIONS (APPEAL TRIBUNALS) RULES (NORTHERN IRELAND), 1940, MADE BY THE ASSISTANCE BOARD FOR NORTHERN IRELAND UNDER PART II OF THE OLD AGE AND WIDOWS' PENSIONS ACT (NORTHERN IRELAND), 1940.

1940. No. 89.

The Assistance Board for Northern Ireland, by virtue of the powers conferred on it by Part II of the Old Age and Widows' Pensions Act (Northern Ireland), 1940, and of all other powers in that behalf, hereby makes the following rules :

1.—Any rules made by the Board and confirmed by the Minister of Labour as to the tenure of office of the chairman and other members of an appeal tribunal acting for the purposes of the Unemployment Assistance Act (Northern Ireland), 1934, shall apply to the appeal tribunal when acting for the purposes of Part II of the Act.

2.—Notwithstanding that the members of the tribunal are not all present, any matter may, with the consent of the person concerned or of the person representing him in accordance with these rules and of any Board of Guardians concerned and of the officer of the Board concerned, be proceeded with if the chairman or acting chairman of the tribunal is present.

3.—(1) An appeal from a determination of an officer of the Board shall be made by lodging notice of appeal in writing at the office designated by the Board either—

(i) within fourteen days from the issue of the determination, or

(ii) where within that time the applicant has notified an officer of the Board that he is dissatisfied with the determination of his case, within such further time as the chairman may for good cause allow ;

and if an appeal lies to the appeal tribunal the tribunal shall as soon as may be hold an oral hearing.

(2) Where an appeal does not lie to an appeal tribunal without the leave of the chairman, the chairman shall on granting or refusing leave to appeal endorse the notice of appeal accordingly.

4.—Any question arising under section 43 of the Unemployment Assistance Act (Northern Ireland), 1934, as that section is applied by Part II of the Act with respect to supplementary pensions as to the amount of an excess payment in respect of the supplementary pension shall be referred on the prescribed form to the appeal tribunal for the district in which the supplementary pension was first granted or to such other tribunal as the Board may designate, and the tribunal shall hold an oral hearing.

5.—(1) A dispute arising between the Board and a Board of Guardians respecting an amount payable by the Board to the Board of Guardians under the Sixth Schedule to the Unemployment Assistance Act (Northern Ireland), 1934, as that Schedule is applied with respect to supplementary pensions by Part II of the Act shall be referred by way of an application to the appeal tribunal having jurisdiction for the district where the person in respect of whom the dispute has arisen resided at the time of his application for poor relief.

(2) The reference may be made by the Board or by the Board of Guardians and the appeal tribunal may, if the chairman thinks it desirable, and shall at the request of the Board of Guardians hold an oral hearing.

6.—(1) Notice of the time and place at which an oral hearing will take place together with particulars of the case shall be sent by the clerk of the appeal tribunal to the officer of the Board concerned and to the person concerned and to any Board of Guardians concerned, and a notice shall be sufficiently sent if sent by post to the ordinary or last known address.

(2) The person concerned and the officer of the Board concerned (or any other officer of the Board on his behalf) or any Board of Guardians concerned (by their representative not being of counsel or a solicitor and appearing as such) may attend and be heard at the oral hearing; and the person concerned may be accompanied or, if by reason of infirmity or for some other good reason he is unable to attend the hearing, may be represented by a friend (not being of counsel or a solicitor and appearing as such) for the purpose of assisting the chairman or the tribunal (as the case may be) in the elucidation of the facts, and the chairman may permit any other person to be present at the proceedings or to attend for the purpose of giving evidence, but, save as aforesaid, there shall not be admitted to any hearing any member of the public or any representative of any newspaper.

(3) The chairman may adjourn an oral hearing from time to time as he thinks fit.

(4) The clerk of the appeal tribunal or his deputy shall be present at all sittings of the chairman or the tribunal for the consideration