

STATUTORY INSTRUMENTS

1999 No. 1495

SOCIAL SECURITY

The [^{F1}Forfeiture] Regulations 1999

<i>Made</i>	- - - -	<i>26th May 1999</i>
<i>Laid before Parliament</i>		<i>21st April 1999</i>
<i>Coming into force</i>	- -	<i>1st June 1999</i>

The Lord Chancellor, in exercise of the powers conferred by sections 14 to 16, 28, 79(2) and 84 of, and Schedules 4 and 5 to, the Social Security Act 1998^{M1}, section 4(2) of the Forfeiture Act 1982^{M2} and of all other powers enabling him in that behalf, after consultation with the Lord Advocate and, in accordance with section 8 of the Tribunals and Inquiries Act 1992^{M3}, with the Council on Tribunals, makes the following Regulations, a draft of which has, in accordance with section 80(1) of the Social Security Act 1998 been laid before and approved by resolution of each House of Parliament—

F1 Word in Short Title substituted (3.11.2008) by [Tribunals, Courts and Enforcement Act 2007 \(Transitional and Consequential Provisions\) Order 2008 \(S.I. 2008/2683\)](#), art. 1, **Sch. 1 para. 131**

Marginal Citations

- M1** 1998 c. 14. Section 84 is an interpretation provision and is cited because of the meaning assigned to the word “prescribe”.
- M2** 1982 c. 34. Section 4(2) was amended by [S.I. 1984/1818](#).
- M3** 1992 c. 53.

PART I

GENERAL PROVISIONS

Citation and commencement

1. These Regulations may be cited as the [^{F2}Forfeiture] Regulations 1999 and shall come into force on 1st June 1999.

F2 Word in reg. 1 substituted (3.11.2008) by [Tribunals, Courts and Enforcement Act 2007 \(Transitional and Consequential Provisions\) Order 2008 \(S.I. 2008/2683\)](#), art. 1, **Sch. 1 para. 131**

Changes to legislation: The Social Security Commissioners (Procedure) Regulations 1999 is up to date with all changes known to be in force on or before 20 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Revocation

^{F3}2.

F3 Reg. 2 omitted (3.11.2008) by virtue of Tribunals, Courts and Enforcement Act 2007 (Transitional and Consequential Provisions) Order 2008 (S.I. 2008/2683), art. 1, **Sch. 1 para. 132**

Transitional provisions

^{F4}3.

F4 Reg. 3 omitted (3.11.2008) by virtue of Tribunals, Courts and Enforcement Act 2007 (Transitional and Consequential Provisions) Order 2008 (S.I. 2008/2683), art. 1, **Sch. 1 para. 132**

Interpretation

4.—^{F5}(1) In these Regulations, unless the context otherwise requires—

“^{F6}the 1998 Act” means the Social Security Act 1998;

^{F7} ...

^{F7} ...

^{F7} ...

(i) ^{F7} ...

(ii) ^{F7} ...

^{F7} ...

^{F7} ...

^{F7} ...

^{F7} ...

^{F7} ...

^{F7} ...

^{F7} ...

^{F7} ...

^{F7} ...

^{F8}(2)

^{F8}(3)

F5 Reg. 4(1): reg. 4 renumbered as reg. 4(1) (2.7.2001) by The Social Security Commissioners (Procedure) (Amendment) Regulations 2001 (S.I. 2001/1095), regs. 1(1), **3(a)**
F6 Words in reg. 4(1) substituted (2.7.2001) by The Social Security Commissioners (Procedure) (Amendment) Regulations 2001 (S.I. 2001/1095), regs. 1(1), **3(b)**
F7 Words in reg. 4(1) omitted (3.11.2008) by virtue of Tribunals, Courts and Enforcement Act 2007 (Transitional and Consequential Provisions) Order 2008 (S.I. 2008/2683), art. 1, **Sch. 1 para. 133(a)** (with arts. 3(2)(d), 4)

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F8 Reg. 4(2)(3) omitted (3.11.2008) by virtue of [Tribunals, Courts and Enforcement Act 2007 \(Transitional and Consequential Provisions\) Order 2008 \(S.I. 2008/2683\)](#), art. 1, **Sch. 1 para. 133(b)**

General powers of a Commissioner

F9 **5.**

F9 Reg. 5 omitted (3.11.2008) by virtue of S.I. 2008/2683, Sch. 1, para. 134

Transfer of proceedings between Commissioners

F10 **6.**

F10 Reg. 6 omitted (3.11.2008) by virtue of S.I. 2008/2683, Sch. 1, para. 134

Delegation of functions to authorised officers

F11 **7.**

F11 Reg. 7 omitted (3.11.2008) by virtue of S.I. 2008/2683, Sch. 1, para. 134

Manner of and time for service of notices, etc.

F12 **8.**

F12 Reg. 8 omitted (3.11.2008) by virtue of S.I. 2008/2683, Sch. 1, para. 134

[^{F13}Funding of legal services

F14 **8A).**

F13 Reg. 8A inserted (28.2.2005) by [Social Security and Child Support Commissioners \(Procedure\) \(Amendment\) Regulations 2005 \(S.I. 2005/207\)](#), regs. 1(1), 2(5)

F14 Reg. 8A omitted (3.11.2008) by virtue of S.I. 2008/2683, Sch. 1, para. 134

PART II

APPLICATIONS FOR LEAVE TO APPEAL, APPEALS AND REFERENCES

Application to a Commissioner for leave to appeal

F15 **9.**

F15 Reg. 9 omitted (3.11.2008) by virtue of S.I. 2008/2683, Sch. 1, para. 134

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Notice of application to a Commissioner for leave to appeal

^{F16}**10.**

F16 Reg. 10 omitted (3.11.2008) by virtue of S.I. 2008/2683, Sch. 1, para. 134

Determination of application

^{F17}**11.**

F17 Reg. 11 omitted (3.11.2008) by virtue of S.I. 2008/2683, Sch. 1, para. 134

Notice of appeal

^{F18}**12.**

F18 Reg. 12 omitted (3.11.2008) by virtue of S.I. 2008/2683, Sch. 1, para. 134

Time limit for appealing after leave obtained

^{F19}**13.**

F19 Reg. 13 omitted (3.11.2008) by virtue of S.I. 2008/2683, Sch. 1, para. 134

References under the Forfeiture Act 1982

14.—(1) For the purposes of section 4(5) of the Forfeiture Act 1982, [^{F20}the 1998 Act] shall be prescribed as a relevant enactment.

^{F21}(2)

^{F21}(3)

F20 Words in reg. 14(1) substituted (2.7.2001) by [The Social Security Commissioners \(Procedure\) \(Amendment\) Regulations 2001 \(S.I. 2001/1095\)](#), regs. 1(1), **5(a)**
F21 Reg. 14(2)(3) omitted (3.11.2008) by virtue of [Tribunals, Courts and Enforcement Act 2007 \(Transitional and Consequential Provisions\) Order 2008 \(S.I. 2008/2683\)](#), art. 1, **Sch. 1 para. 135**

Further provisions relating to references under the Forfeiture Act 1982

^{F22}**15.**

F22 Reg. 15 omitted (3.11.2008) by virtue of S.I. 2008/2683, Sch. 1, para. 136

Acknowledgement of a notice of appeal or a reference and notification to each respondent

^{F23}**16.**

F23 Reg. 16 omitted (3.11.2008) by virtue of S.I. 2008/2683, Sch. 1, para. 136

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PART III PROCEDURE

Representation

^{F24}17.

F24 Reg. 17 omitted (3.11.2008) by virtue of S.I. 2008/2683, Sch. 1, para. 136

Respondent's written observations

^{F25}18.

F25 Reg. 18 omitted (3.11.2008) by virtue of S.I. 2008/2683, Sch. 1, para. 136

Written observations in reply

^{F26}19.

F26 Reg. 19 omitted (3.11.2008) by virtue of S.I. 2008/2683, Sch. 1, para. 136

Directions

^{F27}20.

F27 Reg. 20 omitted (3.11.2008) by virtue of S.I. 2008/2683, Sch. 1, para. 136

Procedure on linked case notice from the Secretary of State

^{F28}21.

F28 Reg. 21 omitted (3.11.2008) by virtue of S.I. 2008/2683, Sch. 1, para. 136

Non-disclosure of medical evidence

^{F29}22.

F29 Reg. 22 omitted (3.11.2008) by virtue of S.I. 2008/2683, Sch. 1, para. 136

Requests for hearings

^{F30}23.

F30 Reg. 23 omitted (3.11.2008) by virtue of S.I. 2008/2683, Sch. 1, para. 136

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Hearings

^{F31}24.

F31 Reg. 24 omitted (3.11.2008) by virtue of S.I. 2008/2683, Sch. 1, para. 136

Summoning of witnesses

^{F32}25.

F32 Reg. 25 omitted (3.11.2008) by virtue of S.I. 2008/2683, Sch. 1, para. 136

Withdrawal of applications for leave to appeal, appeals and references

^{F33}26.

F33 Reg. 26 omitted (3.11.2008) by virtue of S.I. 2008/2683, Sch. 1, para. 136

Irregularities

^{F34}27.

F34 Reg. 27 omitted (3.11.2008) by virtue of S.I. 2008/2683, Sch. 1, para. 136

PART IV DECISIONS

Determinations and decisions of a Commissioner

^{F35}28.

F35 Reg. 28 omitted (3.11.2008) by virtue of S.I. 2008/2683, Sch. 1, para. 136

Procedure after determination of a forfeiture rule question

^{F36}29.

F36 Reg. 29 omitted (3.11.2008) by virtue of S.I. 2008/2683, Sch. 1, para. 136

Correction of accidental errors in decisions

^{F37}30.

F37 Reg. 30 omitted (3.11.2008) by virtue of S.I. 2008/2683, Sch. 1, para. 136

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Setting aside decisions on certain grounds

^{F38}**31.**

F38 Reg. 31 omitted (3.11.2008) by virtue of S.I. 2008/2683, Sch. 1, para. 136

Provisions common to regulations 30 and 31

^{F39}**32.**

F39 Reg. 32 omitted (3.11.2008) by virtue of S.I. 2008/2683, Sch. 1, para. 136

PART V

APPLICATIONS FOR LEAVE TO APPEAL TO THE APPELLATE COURT

Application to a Commissioner for leave to appeal to the Appellate Court

^{F40}**33.**

F40 Reg. 33 omitted (3.11.2008) by virtue of S.I. 2008/2683, Sch. 1, para. 136

Dated 26th May 1999

Irvine of Lairg, C.

Changes to legislation: *The Social Security Commissioners (Procedure) Regulations 1999 is up to date with all changes known to be in force on or before 20 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations regulate the procedure of the Social Security Commissioners in determining claims and questions arising from decisions of the unified appeals tribunals established under section 7 of the Social Security Act 1998. These Regulations also prescribe the procedure to be followed in the case of a reference made under the Forfeiture Act 1982. These Regulations revoke the Social Security Commissioners (Procedure) Regulations 1987 and amending instruments and are necessary as a result of the introduction of the unified appeals tribunals established under the 1998 Act.

Changes to legislation:

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Changes and effects yet to be applied to :

- reg.4 defn(s). added by [S.I. 2000/2854 reg.3\(a\)\(d\)](#)
- reg.4 defn(s). amended by [S.I. 2000/2854 reg.3\(c\)](#)
- reg.4 rev. in pt. by [S.I. 2000/2854 reg.3\(b\)](#)
- reg.10 amended by [S.I. 2000/2854 reg.4](#)
- reg.14 amended by [S.I. 2000/2854 reg.5](#)
- reg. 21 amended by [S.I. 2000/2854 reg.6](#)
- reg.24 amended by [S.I. 2000/2854 reg 7](#)
- reg.29 amended by [S.I. 2000/2854 reg.8](#)
- reg.33 amended by [S.I. 2000/2854 reg.9](#)