
STATUTORY INSTRUMENTS

2006 No. 1944

**The Recovery of Health Services
Charges (Northern Ireland) Order 2006**

Review and appeal

Appeal to Social Security Commissioner

11.—(1) An appeal may be made to a Commissioner against any decision of an appeal tribunal under Article 10 on the ground that the decision was erroneous in point of law.

(2) An appeal under this Article may be made by—

- (a) the Department, or
- (b) the person to whom the certificate was issued.

(3) If an appeal is made under this Article, paragraphs (7) to (13) of Article 15 of the 1998 Order apply to the appeal as they apply to an appeal under that Article (reading references to a tribunal as references to an appeal tribunal constituted as mentioned in Article 10(8)).

(4) In a case in which paragraph (7) or (8)(b) of Article 15 of the 1998 Order applies by virtue of paragraph (3) to an appeal against a decision of an appeal tribunal under paragraph (3) of Article 10, paragraphs (2) to (4) of that Article apply as they apply to an appeal determined on a reference under paragraph (1)(a) of that Article.

(5) In a case in which paragraph (7) or (8)(b) of Article 15 of the 1998 Order applies by virtue of paragraph (3) to an appeal against a decision of an appeal tribunal under paragraph (5) of Article 10, the appeal tribunal may—

- (a) confirm the waiver decision, or
- (b) waive the requirement in question.

(6) In a case in which paragraph (8)(a) of Article 15 of the 1998 Order applies by virtue of paragraph (3) to an appeal against a decision of an appeal tribunal under paragraph (3) of Article 10, paragraph (4) of that Article applies as if the references to the decision of the tribunal on an appeal against a certificate were references to the decision of the Commissioner on an appeal under this Article.

(7) In this Article “Commissioner” has the same meaning as in section 167(1) of the Social Security Administration (Northern Ireland) Act 1992 (c. 8).

Changes to legislation:

There are currently no known outstanding effects for the The Recovery of Health Services Charges (Northern Ireland) Order 2006, Section 11.