
EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend regulation 36 of the Social Security and Child Support (Decisions and Appeals) Regulations (Northern Ireland) 1999 to provide that an appeal tribunal hearing an appeal which—

is made under Article 13(1)(b) of the Social Security (Recovery of Benefits) (Northern Ireland) Order 1997 or which concerns the all work test (as defined in regulation 2(1) of the Social Security (Incapacity for Work) (General) Regulations (Northern Ireland) 1995) shall consist of a legally qualified panel member and a medically qualified panel member; or

concerns industrial injuries benefit or severe disablement allowance shall consist of a legally qualified member and—

- (a) one or two medically qualified panel members; or
- (b) one medically qualified panel member and an additional member drawn from the panel constituted under Article 7 of the Social Security (Northern Ireland) Order 1998 (“the Order”) for the purposes of providing further experience for that additional member or for assisting the President in the monitoring of standards of decision-making by panel members.

Article 8(6) of the Order, one of the enabling provisions under which these Regulations are made, was brought into operation, for the purpose only of authorising the making of regulations on 10th March 1999, by virtue of the Social Security (1998 Order) (Commencement No. 4) Order (Northern Ireland) 1999 (S.R. 1999 No. 102 (C. 13)). As the Regulations are made before the end of the period of 6 months from the commencement of that provision, they are, accordingly, exempt, by virtue of section 150(5)(b) of the Social Security Administration (Northern Ireland) Act 1992, from reference to the Social Security Advisory Committee.