

SCHEDULES

SCHEDULE 2

Sections 41, 43 and 50 to 52.

COMMISSIONERS, TRIBUNALS ETC - SUPPLEMENTARY PROVISIONS

Tenure of offices

- 1
- (1) Subject to the following provisions of this paragraph, the President and the regional and other full-time chairmen of social security appeal tribunals, medical appeal tribunals and disability appeal tribunals shall hold and vacate office in accordance with the terms of their appointment.
 - (2) Commissioners, the President and the full-time chairmen shall vacate their offices at the end of the completed year of service in which they attain the age of 72.
 - (3) Where the Lord Chancellor considers it desirable in the public interest to retain a Commissioner, the President or a full-time chairman in office after the time at which he would be required by sub-paragraph (2) above to vacate it, the Lord Chancellor may from time to time authorise his continuance in office until any date not later than that on which he attains the age of 75.
 - (4) A Commissioner, the President and a full-time chairman may be removed from office by the Lord Chancellor on the ground of incapacity or misbehaviour.
 - (5) Where the Lord Chancellor proposes to exercise a power conferred on him by sub-paragraph (3) or (4) above, it shall be his duty to consult the Lord Advocate with respect to the proposal.
 - (6) Nothing in sub-paragraph (2) or (3) above or in section 13 or 32 of the Judicial Pensions Act 1981 (which relate to pensions for Commissioners) shall apply to a person by virtue of his appointment in pursuance of section 52(2) above.
 - (7) Nothing in sub-paragraph (2) or (4) above applies to a Commissioner appointed before 23rd May 1980.

Remuneration etc. for President and Chairmen

- 2
- The Secretary of State may pay, or make such payments towards the provision of, such remuneration, pensions, allowances or gratuities to or in respect of the President and full-time chairmen as, with the consent of the Treasury, he may determine.

Officers and staff

- 3
- The President may appoint such officers and staff as he thinks fit—
- (a) for himself;
 - (b) for the regional and other full-time chairmen;
 - (c) for social security appeal tribunals;

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- (d) for disability appeal tribunals; and
- (e) for medical appeal tribunals,

with the consent of the Secretary of State and the Treasury as to numbers and as to remuneration and other terms and conditions of service.

Clerks to social security appeal tribunals and disability appeal tribunals

- 4 (1) The President shall assign clerks to service the social security appeal tribunal for each area and the disability appeal tribunal for each area.
- (2) The duty of summoning members of a panel to serve on such a tribunal shall be performed by the clerk to the tribunal.

Miscellaneous administrative duties of President

- 5 It shall be the duty of the President—
- (a) to arrange—
 - (i) such meetings of chairmen and members of social security appeal tribunals, chairmen and members of disability appeal tribunals and chairmen and members of medical appeal tribunals;
 - (ii) such training for such chairmen and members,
 as he considers appropriate; and
 - (b) to secure that such works of reference relating to social security law as he considers appropriate are available for the use of chairmen and members of social security appeal tribunals, disability appeal tribunals and medical appeal tribunals.

Remuneration etc.

- 6 The Lord Chancellor shall pay to a Commissioner such salary or other remuneration, and such expenses incurred in connection with the work of a Commissioner or any tribunal presided over by a Commissioner, as may be determined by the Treasury.
- 7 (1) The Secretary of State may pay—
- (a) to any person specified in sub-paragraph (2) below, such remuneration and such travelling and other allowances;
 - (b) to any person specified in sub-paragraph (3) below, such travelling and other allowances; and
 - (c) subject to sub-paragraph (4) below, such other expenses in connection with the work of any person, tribunal or inquiry appointed or constituted under any provision of this Act,
- as the Secretary of State with the consent of the Treasury may determine.
- (2) The persons mentioned in sub-paragraph (1)(a) above are—
- (a) any person (other than a Commissioner) appointed under this Act to determine questions or as a member of, or assessor to, a social security appeal tribunal, a disability appeal tribunal or a medical appeal tribunal; and
 - (b) a medical officer appointed under regulations under section 62 above.
- (3) The persons mentioned in sub-paragraph (1)(b) above are—

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- (a) any person required to attend at any proceedings or inquiry under this Act; and
 - (b) any person required under this Act (whether for the purposes of this Act or otherwise) to attend for or to submit themselves to medical or other examination or treatment.
- (4) Expenses are not payable under sub-paragraph (1)(c) above in connection with the work—
- (a) of a tribunal presided over by a Commissioner; or
 - (b) of a social fund officer, a social fund inspector or the social fund Commissioner.
- (5) In this paragraph references to travelling and other allowances include references to compensation for loss of remunerative time but such compensation shall not be paid to any person in respect of any time during which he is in receipt of remuneration under this paragraph.

Certificates of decisions

- 8 A document bearing a certificate which—
- (a) is signed by a person authorised in that behalf by the Secretary of State; and
 - (b) states that the document, apart from the certificate, is a record of a decision—
 - (i) of a Commissioner;
 - (ii) of a social security appeal tribunal;
 - (iii) of a disability appeal tribunal; or
 - (iv) of an adjudication officer,
- shall be conclusive evidence of the decision; and a certificate purporting to be so signed shall be deemed to be so signed unless the contrary is proved.