



Social Security Administration Act 1992

1992 CHAPTER 5

PART VI

ENFORCEMENT

Inspection and offences

110 Appointment and powers of inspectors

- (1) For the purposes of the Acts to which this section applies the Secretary of State may appoint such inspectors, and pay to them such salaries or remuneration, as he may determine with the consent of the Treasury.
- (2) An inspector appointed under this section shall, for the purposes of the execution of those Acts have the following powers—
 - (a) to enter at all reasonable times any premises liable to inspection under this section;
 - (b) to make such examination and inquiry as may be necessary—
 - (i) for ascertaining whether the provisions of the Acts are being, or have been, complied with in any such premises; or
 - (ii) for investigating the circumstances in which any accident, injury or disease which has given or may give rise to a claim for industrial injuries benefit, or for any benefit which is a relevant benefit, occurred or may have occurred, or was or may have been received or contracted;
 - (c) to examine, either alone or in the presence of any other person, as he thinks fit, in relation to any matters under the Acts on which he may reasonably require information, every person whom he finds in any such premises or whom he has reasonable cause to believe to be or to have been a person liable to pay—
 - (i) contributions under Part I of the Contributions and Benefits Act; or
 - (ii) a state scheme premium; or
 - (iii) a compensation payment or a relevant payment,

Status: This is the original version (as it was originally enacted).

- and to require every such person to be so examined;
- (d) to exercise such other powers as may be necessary for carrying the Acts into effect.
- (3) The premises liable to inspection under this section are any where an inspector has reasonable grounds for supposing that—
- (a) any persons are employed; or
 - (b) there is being carried on any agency or other business for the introduction or supply to persons requiring them of persons available to do work or to perform services; or
 - (c) a personal or occupational pension scheme is being administered; or
 - (d) any person—
 - (i) who is the compensator in relation to any such accident, injury or disease as is referred to in subsection (2)(b)(ii) above; or
 - (ii) on whose behalf any such compensator has or may have made, or may make, a compensation payment,carries on business or is to be found,
- but do not include any private dwelling-house not used by, or by permission of, the occupier for the purposes of a trade or business.
- (4) Every inspector shall be furnished with a certificate of his appointment, and on applying for admission to any premises for the purpose of the Acts shall, if so required, produce the certificate.
- (5) Where any premises are liable to be inspected by an inspector or officer appointed or employed by, or are under the control of, some other government department, the Secretary of State may make arrangements with that department for any of the powers or duties of inspectors under this section to be carried out by an inspector or officer employed by that department.
- (6) In accordance with this section, persons shall furnish to an inspector all such information, and produce for his inspection all such documents, as he may reasonably require for the purpose of ascertaining—
- (a) whether—
 - (i) any contribution under Part I of the Contributions and Benefits Act; or
 - (ii) any state scheme premium; or
 - (iii) any compensation payment or relevant payment,is or has been payable, or has been duly paid, by or in respect of any person; or
 - (b) whether benefit is or was payable to or in respect of any person.
- (7) The following persons are under the duty imposed by subsection (6) above—
- (a) the occupier of any premises liable to inspection under this section;
 - (b) any person who is or has been an employer or an employee within the meaning of any provision of the Contributions and Benefits Act;
 - (c) any person carrying on an agency or other business for the introduction or supply to persons requiring them of persons available to do work or to perform services;
 - (d) any person who is or has at any time been a trustee or manager of a personal or occupational pension scheme;
 - (e) any person who is or has been liable—

Status: This is the original version (as it was originally enacted).

- (i) to pay contributions or state scheme premiums; or
- (ii) to make any compensation payment or relevant payment;
- (f) the servants or agents of any such person as is specified in any of the preceding paragraphs,

but no one shall be required under this section to answer any questions or to give evidence tending to incriminate himself or, in the case of a person who is married, his or her spouse.

(8) This section applies to the following Acts—

- (a) the Social Security Act 1973;
- (b) the Contributions and Benefits Act;
- (c) this Act;
- (d) the Pensions Act; and
- (e) Part I of the 1986 Act.

(9) In this section “relevant benefit” and “relevant payment” mean a relevant benefit and relevant payment within the meaning of Part IV of this Act.