
STATUTORY RULES OF NORTHERN IRELAND

1995 No. 293

**The Social Security (Adjudication)
Regulations (Northern Ireland) 1995**

PART III

ADJUDICATING AUTHORITIES

SECTION E —

MEDICAL ADJUDICATION

Determination of medical questions

- (a) (i) Section 45(1) of the Administration Act shall have effect as if for the words “an adjudicating medical practitioner” in the second place where they occur there were substituted “a medical board”,
 - (ii) section 45(2) of the Administration Act shall have effect as if for “such a practitioner if he” there were substituted “a medical board if it”;
 - (b) any case which, in the opinion of the Department, should be determined by more than one adjudicating medical practitioner, shall be referred to and determined by a medical board.
- (2) Any question which falls to be determined by an adjudicating medical authority other than those within paragraph (1) shall be referred to and determined by an adjudicating medical practitioner.
- (3) Where a case has been referred to an adjudicating medical practitioner for determination the Department may, at any time before the determination is made, revoke that reference and refer the case to a medical board.
- (4) Where a case has been referred to a medical board consisting of two members and they are unable to agree, the reference to that board shall be revoked and the case shall be referred to a board consisting of three members and if they are not unanimous the decision of the majority shall be the decision of the board.
- (5) The Department shall appoint one of the members of any medical board to act as chairman.
- (6) A medical board shall not determine any question unless all the members thereof are present at the consideration of that question, and if any member of the board is absent the reference to that board shall be revoked and the case shall be referred to another such board.
- (7) Reasonable notice (being not less than 10 days beginning with the day on which the notice is given and ending on the day before the sitting is to take place) of the time and place at which an adjudicating medical authority will sit for the consideration of any case shall be given to the claimant and if such notice is not given or if, after such notice has been given, the claimant fails to appear at the sitting of the authority, the authority may proceed to determine the questions referred to it only with the claimant’s consent.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(8) For the purposes of these Regulations a sitting of an adjudicating medical authority is not an oral hearing, and the only persons entitled to be present and be heard during the consideration of any question by such an authority are the claimant and any other person whom the authority may, with the consent of the claimant, allow to be present as being a person who, in its opinion, is likely to assist it in the determination of that question.