



Social Security Administration Act 1992

1992 CHAPTER 5

PART VI

ENFORCEMENT

Legal proceedings

117 Questions arising in proceedings

(1) Where in any proceedings—

- (a) for an offence under this Act; or
- (b) involving any question as to the payment of contributions (other than a Class 4 contribution recoverable by the Inland Revenue); or
- (c) for the recovery of any sums due to the Secretary of State or the National Insurance Fund,

any such question arises as is mentioned in section 17(1) above, the decision of the Secretary of State shall be conclusive for the purposes of the proceedings.

(2) If—

- (a) a decision of any such question is necessary for the determination of proceedings; and
- (b) the decision of the Secretary of State has not been obtained or a question has been raised with a view to a review of the decision obtained,

the question shall be referred to the Secretary of State for determination or review in accordance (subject to any necessary modifications) with Part II of this Act.

(3) Subsection (1) above does not apply if—

- (a) an appeal under section 18 above is pending; or
- (b) the time for appealing has not expired; or
- (c) a question has been raised with a view to a review of the Secretary of State's decision under section 19 above,

Status: This is the original version (as it was originally enacted).

and the court dealing with the case shall adjourn the proceedings until such time as a final decision on the question has been obtained.