



Social Security Administration (Northern Ireland) Act 1992

1992 CHAPTER 8

PART II

ADJUDICATION

Social fund officers and inspectors and the social fund Commissioner

64 **Reviews**

- (1) A social fund officer—
 - (a) shall review a determination made under the Contributions and Benefits Act by himself or some other social fund officer, if an application for a review is made within such time and in such form and manner as may be prescribed by or on behalf of the person who applied for the payment to which the determination relates; and
 - (b) may review such a determination in such other circumstances as he thinks fit; and may exercise on a review any power exercisable by an officer under Part VIII of the Contributions and Benefits Act.
- (2) The power to review a determination conferred on a social fund officer by subsection (1) above includes power to review a determination made by a social fund officer on a previous review.
- (3) On an application made by or on behalf of the person to whom a determination relates within such time and in such form and manner as may be prescribed a determination of a social fund officer which has been reviewed shall be further reviewed by a social fund inspector.
- (4) On a review a social fund inspector shall have the following powers—
 - (a) power to confirm the determination made by the social fund officer;

Status: This is the original version (as it was originally enacted).

- (b) power to make any determination which a social fund officer could have made;
 - (c) power to refer the matter to a social fund officer for determination.
- (5) A social fund inspector may review a determination under subsection (3) above made by himself or some other social fund inspector.
- (6) In determining a question on a review a social fund officer or social fund inspector shall have regard, subject to subsection (7) below, to all the circumstances of the case and, in particular, to the matters specified in section 136(1)(a) to (e) of the Contributions and Benefits Act.
- (7) An officer or inspector shall determine any question on a review in accordance with any general directions issued by the Department under section 136(2) of the Contributions and Benefits Act and any general directions issued by the Department with regard to reviews and in determining any such question shall take account of any general guidance issued by the Department under that subsection or with regard to reviews.
- (8) Directions under this section may specify—
 - (a) the circumstances in which a determination is to be reviewed; and
 - (b) the manner in which a review is to be conducted.
- (9) In reviewing a question under this section a social fund officer shall take account (subject to any directions or guidance issued by the Department under this section) of any guidance issued by the social fund officer nominated for his area under section 62(3) above.
- (10) A social fund inspector reviewing a determination shall be under the same duties in relation to such guidance as the social fund officer or inspector who made the determination.