



# Social Security Act 1998

## 1998 CHAPTER 14

### PART I

#### DECISIONS AND APPEALS

### CHAPTER II

#### SOCIAL SECURITY DECISIONS AND APPEALS

##### *Suspension and termination of benefit*

## 21 Suspension in prescribed circumstances

- (1) Regulations may provide for—
  - (a) suspending payments of a relevant benefit, in whole or in part, in prescribed circumstances;
  - (b) the subsequent making in prescribed circumstances of any or all of the payments so suspended.
- (2) Regulations made under subsection (1) above may, in particular, make provision for any case where—
  - (a) it appears to the Secretary of State that an issue arises whether the conditions for entitlement to a relevant benefit are or were fulfilled;
  - (b) it appears to the Secretary of State that an issue arises whether a decision as to an award of a relevant benefit should be revised (under section 9 above) or superseded (under section 10 above);
  - (c) an appeal is pending against a decision of [<sup>F1</sup>the First-tier Tribunal, the Upper Tribunal] or a court; or
  - (d) an appeal is pending against the decision given in a different case by [<sup>F2</sup>the Upper Tribunal] or a court, and it appears to the Secretary of State that if the appeal were to be determined in a particular way an issue would arise whether

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the award of a relevant benefit (whether the same benefit or not) in the case itself ought to be revised or superseded.

- (3) For the purposes of subsection (2) above, an appeal against a decision is pending if—
- (a) an appeal against the decision has been brought but not determined;
  - (b) an application for [<sup>F3</sup>permission] to appeal against the decision has been made but not determined; or
  - (c) in such circumstances as may be prescribed, an appeal against the decision has not been brought (or, as the case may be, an application for [<sup>F4</sup>permission] to appeal against the decision has not been made) but the time for doing so has not yet expired.

<sup>F5</sup>(4) . . . . .

#### Textual Amendments

- F1** Words in s. 21(2)(c) substituted (3.11.2008) by [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 1(1), **Sch. 3 para. 159(a)(i)**
- F2** Words in s. 21(2)(d) substituted (3.11.2008) by [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 1(1), **Sch. 3 para. 159(a)(ii)**
- F3** Word in s. 21(3)(b) substituted (3.11.2008) by [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 1(1), **Sch. 3 para. 159(b)**
- F4** Word in s. 21(3)(c) substituted (3.11.2008) by [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 1(1), **Sch. 3 para. 159(b)**
- F5** S. 21(4) repealed (1.4.1999) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\)](#), s. 28(3), Sch. 7 para. 32, **Sch. 10 Pt. 1** (with Sch. 8); S.I. 1999/527, art. 2(b), Sch. 2 (with arts. 3-6)

#### Modifications etc. (not altering text)

- C1** S. 21 applied (6.4.2010) by [The National Insurance Contribution Credits \(Transfer of Functions\) Order 2009 \(S.I. 2009/1377\)](#), arts. 1(1), **3(2)(l)**, 4

#### Commencement Information

- I1** S. 21 in force at 4.3.1999 for specified purposes by [S.I. 1999/528](#), art. 2(a), **Sch.**
- I2** S. 21 in force at 5.7.1999 for specified purposes by [S.I. 1999/1958](#), art. 2(1)(b), **Sch. 1** (with art. 5, [Sch. 12](#))
- I3** S. 21 in force at 6.9.1999 for specified purposes by [S.I. 1999/2422](#), art. 2(c), **Sch. 1** (with art. 4, [Sch. 14](#))
- I4** S. 21 in force at 5.10.1999 for specified purposes by [S.I. 1999/2739](#), art. 2, **Sch. 1** (with art. 3, [Sch. 2](#))
- I5** S. 21 in force at 18.10.1999 for specified purposes by [S.I. 1999/2860](#), art. 2(c), **Sch. 1** (with art. 4, [Schs. 16-18](#))
- I6** S. 21 in force at 29.11.1999 for specified purposes by [S.I. 1999/3178](#), art. 2(1)(a)(2), **Sch. 1** (with art. 4, [Schs. 21-23](#))

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act applied (with modifications) by [S.I. 2010/1907 reg. 16\(2\)\(c\)Sch. 2](#)
- Act applied (with modifications) by [S.I. 2010/875 reg. 16Sch. 2](#) (This amendment not applied to legislation.gov.uk. S.I. 2010/875 revoked (27.8.2010) before coming into force by S.I. 2010/1906, regs. 1(2), 2)
- Act modified by [S.S.I. 2024/62 art. 2](#)
- Act modified by [S.I. 2024/149 art. 2](#)
- Act power to apply (with modifications) conferred by [2004 c. 6 s. 24\(5\)-\(7\)](#)

**Whole provisions yet to be inserted into this Act (including any effects on those provisions):**

- s. 38(1A) inserted by [2009 c. 24 s. 20\(2\)](#) (This amendment not applied to legislation.gov.uk. Ss. 16-21 repealed (1.4.2013) by 2012 c. 5, s. 73; S.I. 2012/3090, art. 2(1)(b))
- Sch. 2 para. 7A and cross-head inserted by [2012 c. 5 Sch. 2 para. 50\(3\)](#)
- Sch. 18 functions modified by [S.I. 2000/2853 reg. 3\(1\)Sch. 2 para. 4](#)
- Sch. 24 functions modified by [S.I. 2000/2853 reg. 3\(1\)Sch. 2 para. 5](#)