



Social Security Act 1998

1998 CHAPTER 14

PART I

DECISIONS AND APPEALS

CHAPTER II

SOCIAL SECURITY DECISIONS AND APPEALS

Decisions

8 Decisions by Secretary of State

- (1) Subject to the provisions of this Chapter, it shall be for the Secretary of State—
 - (a) to decide any claim for a relevant benefit;
 - (b) to decide any claim for a social fund payment mentioned in section 138(1)(b) of the Contributions and Benefits Act;
 - (c) subject to subsection (5) below, to make any decision that falls to be made under or by virtue of a relevant enactment; and
 - (d) subject to and in accordance with regulations, to decide any issue arising as to, or in connection with, entitlement to statutory sick pay or statutory maternity pay.
- (2) Where at any time a claim for a relevant benefit is decided by the Secretary of State—
 - (a) the claim shall not be regarded as subsisting after that time; and
 - (b) accordingly, the claimant shall not (without making a further claim) be entitled to the benefit on the basis of circumstances not obtaining at that time.
- (3) In this Chapter “relevant benefit”, subject to section 21(4) below, means any of the following, namely—
 - (a) benefit under Parts II to V of the Contributions and Benefits Act;
 - (b) a jobseeker’s allowance;

Status: This is the original version (as it was originally enacted).

- (c) income support;
 - (d) family credit;
 - (e) disability working allowance;
 - (f) a social fund payment mentioned in section 138(1)(a) or (2) of the Contributions and Benefits Act;
 - (g) child benefit;
 - (h) such other benefit as may be prescribed.
- (4) In this section “relevant enactment” means any enactment contained in this Chapter, the Contributions and Benefits Act, the Administration Act, the Social Security (Consequential Provisions) Act 1992 or the Jobseekers Act, other than one contained in—
- (a) Part VII of the Contributions and Benefits Act so far as relating to housing benefit and council tax benefit;
 - (b) Part VIII of the Administration Act (arrangements for housing benefit and council tax benefit and related subsidies).
- (5) Subsection (1)(c) above does not include any decision relating to Class 4 contributions other than a decision falling to be made—
- (a) under subsection (1) of section 17 of the Contributions and Benefits Act as to whether by regulations under that subsection a person is excepted from liability for Class 4 contributions, or his liability is deferred; or
 - (b) under regulations made by virtue of subsection (3) or (4) of that section or section 18 of that Act.