

1999 No. 1495

SOCIAL SECURITY

The ¹Forfeiture Regulations 1999

¹Title of S.I. changed by
art. 131 of S.I. 2008/
2683 as from 3.11.08.

<i>Made</i> - - - -	26th May 1999
<i>Laid before Parliament</i>	21st April 1999
<i>Coming into force</i>	1st June 1999

ARRANGEMENT OF REGULATIONS

PART I
GENERAL PROVISIONS

1. Citation and commencement
2. Revocation *[omitted]*
3. Transitional provisions *[omitted]*
4. Interpretation
5. General powers of a Commissioner *[omitted]*
6. Transfer of proceedings between Commissioners *[omitted]*
7. Delegation of functions to authorised officers *[omitted]*
8. Manner of and time for service of notices, etc. *[omitted]*
- 8A. Funding of legal services *[omitted]*

PART II
APPLICATIONS FOR LEAVE TO APPEAL, APPEALS AND REFERENCES

9. Application to a Commissioner for leave to appeal *[omitted]*
10. Notice of application to a Commissioner for leave to appeal *[omitted]*
11. Determination of application *[omitted]*
12. Notice of appeal *[omitted]*
13. Time limit for appealing after leave obtained *[omitted]*
14. References under the Forfeiture Act 1982
15. Further provisions relating to references under the Forfeiture Act 1982 *[omitted]*
16. Acknowledgement of a notice of appeal or a reference and notification to each respondent *[omitted]*

PART III
PROCEDURE

17. Representation *[omitted]*
18. Respondent's written observations *[omitted]*
19. Written observations in reply *[omitted]*
20. Directions *[omitted]*

- 21. Procedure on linked case notice from the Secretary of State *[omitted]*
- 22. Non-disclosure of medical evidence *[omitted]*
- 23. Requests for hearings *[omitted]*
- 24. Hearings *[omitted]*
- 25. Summoning of witnesses *[omitted]*
- 26. Withdrawal of applications for leave to appeal, appeals and references *[omitted]*
- 27. Irregularities *[omitted]*

PART IV
DECISIONS

- 28. Determinations and decisions of a Commissioner *[omitted]*
- 29. Procedure after determination of a forfeiture rule question *[omitted]*
- 30. Correction of accidental errors in decisions *[omitted]*
- 31. Setting aside of decisions on certain grounds *[omitted]*
- 32. Provisions common to regulations 30 and 31 *[omitted]*

PART V
APPLICATIONS FOR LEAVE TO APPEAL TO THE APPELLATE COURT

- 33. Application to a Commissioner for leave to appeal to the Appellate Court *[omitted]*

The Lord Chancellor, in exercise of the powers conferred by sections 14 to 16, 28, 79(2) and 84 of, and Schedules 4 and 5 to, the Social Security Act 1998^(a), section 4(2) of the Forfeiture Act 1982^(b) and of all other powers enabling him in that behalf, after consultation with the Lord Advocate and, in accordance with section 8 of the Tribunals and Inquiries Act 1992^(c), with the Council on Tribunals, makes the following Regulations, a draft of which has, in accordance with section 80(1) of the Social Security Act 1998 been laid before and approved by resolution of each House of Parliament—

PART I

GENERAL PROVISIONS

Citation and commencement

1. These Regulations may be cited as the ►¹Forfeiture◄ Regulations 1999 and shall come into force on 1st June 1999.

2.-3. ►¹◄

Interpretation

4. ►²(1)◄ In these Regulations, unless the context otherwise requires—
►²“the 1998 Act”◄ means the Social Security Act 1998;

(2)-(3) ►¹◄

5.-13. ►¹◄

References under the Forfeiture Act 1982

14.—(1) For the purposes of section 4(5) of the Forfeiture Act 1982, ►³the 1998 Act◄ shall be prescribed as a relevant enactment.

(2) & (3) ►¹◄

15.-33. ►¹◄

¹Words substituted in reg. 1 & regs. 2, 3 & 5-13 omitted, defns. in reg. 4(1) & regs. 4(2), (3), 14(2), (3) & 15-33 deleted by arts. 131, 132, 133(a) & (b), 134, 135 & 136 of S.I. 2008/2683 as from 3.11.08.

²Number (1) inserted in reg. 4 & words substituted by reg. 3(a) & (b) of S.I. 2001/1095 as from 2.7.01.

³Words in reg. 14(1) substituted by reg. 5 of S.I. 2001/1095 as from 2.7.01.

Dated 26th May 1999

Irvine of Lairg, C.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations regulate the procedure of the Social Security Commissioners in determining claims and questions arising from decisions of the unified appeals tribunals established under section 7 of the Social Security Act 1998. These Regulations also prescribe the procedure to be followed in the case of a reference made under the Forfeiture Act 1982. These Regulations revoke the Social Security Commissioners (Procedure) Regulations 1987 and amending instruments and are necessary as a result of the introduction of the unified appeals tribunals established under the 1998 Act.

(a) 1998 c. 14. Section 84 is an interpretation provision and is cited because of the meaning assigned to the word “prescribe”.

(b) 1982 c. 34. Section 4(2) was amended by S.I. 1984/1818.

(c) 1992 c. 53.

