

SCHEDULES

SCHEDULE 10

Modifications etc. (not altering text)

- C1** Certain functions transferred by [S.R. 1976/281](#), [art. 3](#), [Sch.](#), [S.I. 1982/338](#) (N.I. 6) arts. 3, 4(1) and Social Security Act 1986 (c. 50 SIF 113:1) s. 82, Sch. 9 Pt. III para. 10
- C1** Power to amend Sch. 10 conferred by [S.I. 1986/1888](#) (N.I. 18), [arts. 18\(3\)](#), [79\(1\)\(6\)](#)

Appeals.

- ^{F1}7B (1) If any person to whom this section applies is aggrieved by any decision taken by the administrators of a relevant pension scheme concerning—
- (a) the interpretation of the rules of the scheme, or
 - (b) the exercise of any discretion under the scheme,
- he shall have a right of appeal to the Lord Chancellor against that decision.
- (2) On deciding an appeal under this paragraph, the Lord Chancellor may give to the administrators such directions as he considers necessary or expedient for implementing his decision.
- (3) The persons to whom this paragraph applies are the following—
- (a) any member of the scheme;
 - (b) the ^{F2}surviving spouse or surviving civil partner,] or any surviving dependant, of a deceased member of the scheme;
 - (c) where the decision relates to the question—
 - (i) whether a person who claims to be such a person as is mentioned in paragraph (a) or (b) is such a person, or
 - (ii) whether a person who claims to be entitled to become a member of the scheme is so entitled,the person so claiming.
- (4) The Lord Chancellor may by regulations make provision as to the manner in which, and time within which, appeals under this paragraph are to be brought.
- (5) Regulations made under this section shall be subject to annulment in like manner as a statutory instrument and section 5 of the Statutory Instruments Act 1946 shall apply accordingly.
- (6) The administrators shall be entitled to appear and be heard on any appeal under this paragraph.
- (7) In this paragraph—
- “the administrators”, in relation to a pension scheme, means the persons entrusted with the administration of the scheme;

Changes to legislation: There are currently no known outstanding effects for the Social Security (Northern Ireland) Act 1975, Paragraph 7B. (See end of Document for details)

“member”, in relation to a pension scheme, means a person whose service in an office is, was or is to be subject to the scheme;

“relevant pension scheme” means any pension scheme constituted under or by virtue of this Act;

“rules”, in relation to a relevant pension scheme, means the provisions of this Act, and of any regulations or orders made under this Act, so far as relating to that scheme.]

Textual Amendments

- F1** Sch. 10 para. 7B inserted (31.3.1995) by virtue of 1993 c.8, s. 24, **Sch. 3 Pt. III**, para. 7(4); S.I. 1995/631, **art. 2**
- F2** Words in Sch. 10 para. 7B(3)(b) substituted (13.1.2020) by **The Marriage (Same-sex Couples) and Civil Partnership (Opposite-sex Couples) (Northern Ireland) Regulations 2019** (S.I. 2019/1514), regs. 1(2), **60(b)** (with regs. 6-9)

Changes to legislation:

There are currently no known outstanding effects for the Social Security (Northern Ireland) Act 1975, Paragraph 7B.