



Social Security Administration Act 1992

1992 CHAPTER 5

PART II

ADJUDICATION

Adjudication by adjudication officers

20 Claims and questions to be submitted to adjudication officer

- (1) Subject to section 54 below, there shall be submitted forthwith to an adjudication officer for determination in accordance with this Part of this Act—
 - (a) any claim for a benefit to which this section applies;
 - (b) subject to subsection (2) below, any question arising in connection with a claim for, or award of, such a benefit; and
 - (c) any question whether, if he had otherwise had a right to it, a person would be disqualified—
 - (i) by reason of section 28(1) of the Contributions and Benefits Act, for receiving unemployment benefit;
 - (ii) by reason of any regulations under section 32(1) of that Act, for receiving sickness benefit; or
 - (iii) by reason of any regulations under section 59(1) of that Act, for receiving invalidity benefit.
- (2) Subsection (1) above does not apply to any question which falls to be determined otherwise than by an adjudication officer.
- (3) Any question as to, or in connection with, entitlement to statutory sick pay or statutory maternity pay may be submitted to an adjudication officer—
 - (a) by the Secretary of State; or
 - (b) subject to and in accordance with regulations, by the employee concerned, for determination in accordance with this Part of this Act.
- (4) If—

Status: This is the original version (as it was originally enacted).

- (a) a person submits a question relating to the age, marriage or death of any person; and
 - (b) it appears to the adjudication officer that the question may arise if the person who has submitted it to him submits a claim to a benefit to which this section applies,
- the adjudication officer may determine the question.
- (5) Different aspects of the same claim or question may be submitted to different adjudication officers; and for that purpose this section and the other provisions of this Part of this Act with respect to the determination of claims and questions shall apply with any necessary modifications.
- (6) This section applies to the following benefits—
- (a) benefits as defined in section 122 of the Contributions and Benefits Act;
 - (b) income support;
 - (c) family credit;
 - (d) disability working allowance;
 - (e) any social fund payment such as is mentioned in section 138(1)(a) or (2) of the Contributions and Benefits Act;
 - (f) child benefit;
 - (g) statutory sick pay; and
 - (h) statutory maternity pay.

21 Decision of adjudication officer

- (1) An adjudication officer to whom a claim or question is submitted under section 20 above (other than a claim which under section 30(12) or (13) or 35(7) below falls to be treated as an application for a review) shall take it into consideration and, so far as practicable, dispose of it, in accordance with this section, and with procedure regulations under section 59 below, within 14 days of its submission to him.
- (2) Subject to subsection (3) and section 37 below, the adjudication officer may decide a claim or question himself or refer it to a social security appeal tribunal.
- (3) The adjudication officer must decide a claim for or question relating to an attendance allowance, a disability living allowance or a disability working allowance himself.
- (4) Where an adjudication officer refers a question as to, or in connection with, entitlement to statutory sick pay or statutory maternity pay to a social security appeal tribunal, the employee and employer concerned shall each be given notice in writing of the reference.
- (5) In any other case notice in writing of the reference shall be given to the claimant.
- (6) Where—
- (a) a case has been referred to a social security appeal tribunal (“the tribunal”); and
 - (b) the claimant makes a further claim which raises the same or similar questions; and
 - (c) that further claim is referred to the tribunal by the adjudication officer,
- then the tribunal may proceed to determine the further claim whether or not notice has been given under subsection (4) or (5) above.