



Social Security Act 1998

1998 CHAPTER 14

PART I

DECISIONS AND APPEALS

CHAPTER II

SOCIAL SECURITY DECISIONS AND APPEALS

Supplemental

[^{F1}39ZA.Certificates

A document bearing a certificate which—

- (a) is signed by a person authorised in that behalf by the Secretary of State, and
- (b) states that the document, apart from the certificate, is a record of a decision of an officer of the Secretary of State,

shall be conclusive evidence of the decision; and a certificate purporting to be so signed shall be deemed to be so signed unless the contrary is proved.]

Textual Amendments

- F1** S. 39ZA inserted (3.11.2008) by [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 1(1), [Sch. 3 para. 166](#)

Modifications etc. (not altering text)

- C1** S. 39ZA applied (with modifications) (6.4.2010) by [The National Insurance Contribution Credits \(Transfer of Functions\) Order 2009 \(S.I. 2009/1377\)](#), arts. 1(1), [3\(2\)\(s\)](#), 4

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39 Interpretation etc. of Chapter II

(1) In this Chapter—

[^{F2}“appeal tribunal” means an appeal tribunal constituted under Chapter I of this Part;]

[^{F3}“claimant”, in relation to a joint-claim couple claiming a joint-claim jobseeker’s allowance (within the meaning of the Jobseekers Act 1995), means the couple or either member of the couple;]

[^{F2}“Commissioner” [^{F4}(except in the expression “tax appeal Commissioners”)] means the Chief Social Security Commissioner or any other Social Security Commissioner, and includes a tribunal of three or more Commissioners constituted under section 16(7) above;]

[^{F5}“claimant”, in relation to a couple jointly claiming universal credit, means the couple or either member of the couple;]

[^{F6}“health care professional” means—

- (a) a registered medical practitioner,
- (b) a registered nurse,
- (c) an occupational therapist or physiotherapist registered with a regulatory body established by an Order in Council under section 60 of the Health Act 1999, or
- (d) a member of such other profession regulated by a body mentioned in section 25(3) of the National Health Service Reform and Health Care Professions Act 2002 as the Secretary of State may prescribe;]

“relevant benefit” has the meaning given by section 8(3) above.

^{F7}

[^{F8}(1A) In this Chapter—

- (a) a reference to a benefit includes a reference to a loan under section 18 of the Welfare Reform and Work Act 2016;
- (b) a reference to a claim for a benefit includes a reference to an application for a loan under section 18 of the Welfare Reform and Work Act 2016;
- (c) a reference to a claimant includes a reference to an applicant for a loan under section 18 of the Welfare Reform and Work Act 2016 or, in relation to a couple jointly applying for a loan under that section, a reference to the couple or either member of the couple;
- (d) a reference to an award of a benefit to a person includes a reference to a decision that a person is eligible for a loan under section 18 of the Welfare Reform and Work Act 2016;
- (e) a reference to entitlement to a benefit includes a reference to eligibility for a loan under section 18 of the Welfare Reform and Work Act 2016.]

(2) Expressions used in this Chapter to which a meaning is assigned by section 191 of the Administration Act have that meaning in this Chapter.

(3) Part II of the Administration Act, which is superseded by the foregoing provisions of this Chapter, shall cease to have effect.

Textual Amendments

F2 Words in s. 39(1) omitted except in relation to S. for specified purposes (3.11.2008) by virtue of [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 1(1)(5), [Sch. 3 para. 167](#)

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- F3** Words in s. 39(1) inserted (11.11.1999 for specified purposes, 19.3.2001 in so far as not already in force) by [Welfare Reform and Pensions Act 1999 \(c. 30\)](#), s. 89(5)(b), [Sch. 7 para. 17](#); S.I. 2000/2958, art. 2(2)
- F4** Words in s. 39(1) inserted (1.4.1999) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\)](#), s. 28(3), [Sch. 7 para. 35\(a\)](#) (with Sch. 8); S.I. 1999/527, art. 2(b), Sch. 2 (with arts. 3-6)
- F5** Words in s. 39(1) inserted (25.2.2013 for specified purposes, 29.4.2013 in so far as not already in force) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(3), [Sch. 2 para. 49](#); S.I. 2013/358, art. 2(1), Sch. 1 para. 21; S.I. 2013/983, art. 3(1)(b)(iii)
- F6** Words in s. 39(1) inserted (3.7.2007) by [Welfare Reform Act 2007 \(c. 5\)](#), [ss. 62\(5\)](#), 70(1)
- F7** Words in s. 39 omitted (1.4.2009) by virtue of [The Transfer of Tribunal Functions and Revenue and Customs Appeals Order 2009 \(S.I. 2009/56\)](#), art. 1(2), [Sch. 1 para. 250](#)
- F8** S. 39(1A) inserted (27.7.2017) by [Welfare Reform and Work Act 2016 \(c. 7\)](#), [ss. 20\(7\)](#), 36(6); S.I. 2017/802, reg. 2

Modifications etc. (not altering text)

- C2** S. 39 applied (with modifications) (temp.) (17.12.2002) by [The Tax Credits \(Appeals\) Regulations 2002 \(S.I. 2002/2926\)](#), regs. 1(1)(2), [12](#)
- C3** S. 39 applied (with modifications) (25.2.2005) by [The Child Trust Funds \(Non-tax Appeals\) Regulations 2005 \(S.I. 2005/191\)](#), regs. 1(1), [14](#)

Commencement Information

- I1** S. 39 in force at 5.7.1999 for specified purposes by S.I. 1999/1958, art. 2(1)(b), [Sch. 1](#) (with arts. 3, 5, [Sch. 12](#)) (as amended (25.11.1999) by S.I. 1999/3178, art. 3(20), Sch. 20 para. 2(a))
- I2** S. 39 in force at 6.9.1999 for specified purposes by S.I. 1999/2422, art. 2(b)(c), [Sch. 1](#) (with arts. 4, 5, [Sch. 14](#)) (as amended (25.11.1999) by S.I. 1999/3178, art. 3(20), Sch. 20 para. 2(b))
- I3** S. 39 in force at 5.10.1999 for specified purposes by S.I. 1999/2739, art. 2, [Sch. 1](#) (with art. 3, [Sch. 2](#))
- I4** S. 39 in force at 18.10.1999 for specified purposes by S.I. 1999/2860, art. 2(b)(c), [Sch. 1](#) (with arts. 4, 5, [Schs. 16-18](#)) (as amended (25.11.1999) by S.I. 1999/3178, art. 3(20), Sch. 20 para. 2(c))
- I5** S. 39 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](#))

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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](#)