

Industrial Injuries Advisory Council

Legal Framework

Sections 171, 172 and 173 and Schedule 6 of the Social Security Administration Act 1992 cover the Council's functions and are quoted (in part) below:

171.- (1) The Industrial Injuries Advisory Council (in this Act referred to as "the Council") constituted under section 62 of the National Insurance (Industrial Injuries) Act 1965 shall continue in being by that name.

(2) Schedule 6 to this Act shall have effect with respect to the constitution of the Council and other matters there mentioned.

(3) The Secretary of State may from time to time refer to the Council for consideration and advice such questions as he thinks fit relating to Industrial Injury Disablement Benefit or its administration.

(4) The Council may also give advice to the Secretary of State on any other matter relating to such benefit or its administration.

172.- ...where the Secretary of State proposes to make regulations relating only to Industrial Injury Disablement Benefit or its administration, he shall refer the proposals, in the form of draft regulations or otherwise, to the Council for consideration and advice.

173.- (1) Nothing in any enactment shall require any proposals in respect of regulations to be referred to ... the Council if -

(a) it appears to the Secretary of State that by reason of the urgency of the matter it is inexpedient so to refer them; or

(b) the relevant advisory body have agreed that they shall not be referred.

(2) Where by virtue only of sub-section (1) (a) above the Secretary of State makes regulations without proposals in respect of them having been referred, then, unless the relevant advisory body agrees that this subsection shall not apply, he shall refer the regulations to that body as soon as practicable after making them.

(3) Where the Secretary of State has referred proposals to the ... Council, he may make the proposed regulations before ... the Council has given their advice, only if after the reference it appears to him that by reasons of the urgency the matter it is expedient to do so.

Schedule 6

1.-(1) The Council shall consist of a Chairman appointed by the Secretary of State and such number of other members so appointed as the Secretary of State may determine.

(2) The members other than the Chairman shall include an equal number of persons appointed by the Secretary of State, after consultation with such organisations as he thinks fit, to represent employers and employed earners respectively.