



Social Security Act 1980

1980 CHAPTER 30

Amendments of certain enactments relating to social security

1^{F1}

Textual Amendments

F1 S. 1 repealed by [Social Security Act 1986 \(c. 50\), Sch. 11](#)

2^{F2}

Textual Amendments

F2 [Ss. 2, 3\(1\)–\(3\)\(11\), 4\(3\)\(5\)\(6\), 5\(1\), 6\(2\)\(4\), 9\(1\)\(2\)\(5\)\(7\), 10\(1\)–\(5\), 11, 13\(1\)–\(3\)\(5\)\(6\), 14, 17, 18, 19\(3\), Sch. 1, Sch. 2 para. 21, Sch. 3, Sch. 4, paras. 10, 14](#) repealed on consolidation (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#)

3 Amendments of Social Security Pensions Act 1975.

^{F3}(1)

^{F4}(4)

^{F5}(5)

^{F6}(6)

^{F4}(7)

^{F4}(8)

^{F4}(9)

Changes to legislation: There are currently no known outstanding effects for the Social Security Act 1980. (See end of Document for details)

- F⁴(10)
- F³(11)
- F⁴(12)

Textual Amendments

- F3** Ss. 2, 3(1)–(3)(11), 4(3)(5)(6), 5(1), 6(2)(4), 9(1)(2)(5)(7), 10(1)–(5), 11, 13(1)–(3)(5)(6), 14, 17, 18, 19(3), Sch. 1, Sch. 2 para. 21, Sch. 3, Sch. 4, paras. 10, 14 repealed on consolidation (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#)
- F4** S. 3(4)(7)–(10)(12) repealed (7.2.1994) by 1993 c. 48, s. 188, [Sch. 5 Pt.I](#); S.I. 1994/86, [art. 2](#)
- F5** S. 3(5) repealed by [Health and Social Security Act 1984 \(c. 48\)](#), s. 24, [Sch. 8](#), Pt. II
- F6** S. 3(6) repealed by [Social Security Act 1985 \(c. 53\)](#), [Sch. 6](#)

4 Miscellaneous amendments.

- (1) In the definitions of “public service pensions scheme” in section 51(3) of the Social Security Act 1973 and section 66(1) of the Pensions Act (which provide among other things that the definition includes any scheme prescribed by such regulations as are there mentioned) after the word “includes” there shall be inserted the words “any occupational pensions scheme established, with the concurrence of the Minister for the Civil Service, by or with the approval of another Minister of the Crown and”.
- (2) Subsection (3) of section 97 of the ^{M1}Social Security Act 1973 (which provides for orders made by the Secretary of State under that Act to be subject to annulment in pursuance of a resolution of either House of Parliament) shall have effect in relation to orders under section 65 of that Act (under which a public service pension scheme may be modified or wound up by an order made by an authority designated by the Minister for the Civil Service) as if the reference in that subsection to the Secretary of State were a reference to an appropriate authority within the meaning of the said section 65.
- (3) F⁷
- (4) F⁸
- (5) F⁷

Textual Amendments

- F7** Ss. 2, 3(1)–(3)(11), 4(3)(5)(6), 5(1), 6(2)(4), 9(1)(2)(5)(7), 10(1)–(5), 11, 13(1)–(3)(5)(6), 14, 17, 18, 19(3), Sch. 1, Sch. 2 para. 21, Sch. 3, Sch. 4, paras. 10, 14 repealed on consolidation (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#)
- F8** S. 4(4) repealed by [Social Security Act 1986 \(c. 50\)](#), [Sch. 11](#)

Modifications etc. (not altering text)

- C1** The text of ss.3(4)(8)(9)(12), 4(1), 6(1)(3), 9(6), 16(3)–(6), 21(4), Sch. 2 para. 32, Sch. 2 Pt. II, Schs. 4, 5 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

- M1** 1973 c. 38

Changes to legislation: There are currently no known outstanding effects for the Social Security Act 1980. (See end of Document for details)

- 5
- (1) F9
- (2) F10

Textual Amendments

- F9** Ss. 2, 3(1)–(3)(11), 4(3)(5)(6), 5(1), 6(2)(4), 9(1)(2)(5)(7), 10(1)–(5), 11, 13(1)–(3)(5)(6), 14, 17, 18, 19(3), Sch. 1, Sch. 2 para. 21, Sch. 3, Sch. 4, paras. 10, 14 repealed on consolidation (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#)
- F10** S. 5(2)–(4) repealed by [Social Security Act 1986 \(c. 50\)](#), s. 38(1)(2)(b), [Sch. 11](#)

Amendments of enactments relating to supplementary benefit and family income supplement

6 Amendments of Supplementary Benefits Act 1976.

- (1) The ^{M2}Supplementary Benefits Act 1976 shall have effect with the amendments specified in Part I of Schedule 2 to this Act, and except where the context otherwise requires references in that Part to sections and Schedules are to sections of and Schedules to that Act.
- (2) F11
- (3) In accordance with subsection (1) of this section but subject to section 14 of this Act, Parts I to III of the Supplementary Benefits Act 1976, except sections 31, 32, 35 and 36 (which relate to reciprocity and to transitional, consequential and supplemental matters), and Schedules 1 and 5 to that Act are to have effect, after the coming into force of subsection (1) of this section and Part I of Schedule 2 to this Act, as set out in Part II of that Schedule (which reproduces those provisions as amended by Part I of the said Schedule 2 and with consequential adjustments in headings and sidenotes).
- (4) F11

Textual Amendments

- F11** Ss. 2, 3(1)–(3)(11), 4(3)(5)(6), 5(1), 6(2)(4), 9(1)(2)(5)(7), 10(1)–(5), 11, 13(1)–(3)(5)(6), 14, 17, 18, 19(3), Sch. 1, Sch. 2 para. 21, Sch. 3, Sch. 4, paras. 10, 14 repealed on consolidation (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#)

Modifications etc. (not altering text)

- C2** The text of ss.3(4)(8)(9)(12), 4(1), 6(1)(3), 9(6), 16(3)–(6), 21(4), Sch. 2 para. 32, Sch. 2 Pt. II, Schs. 4, 5 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

- M2** 1976 c. 71.

- 7 F12

Changes to legislation: There are currently no known outstanding effects for the Social Security Act 1980. (See end of Document for details)

Textual Amendments

F12 S. 7 repealed by [Social Security Act 1986 \(c. 50\)](#), [Sch. 11](#)

8 Provisions supplementary to ss. 6 and 7.

(1) The Secretary of State may by regulations make such provision as he considers appropriate for dealing with transitional matters connected with or arising out of the coming into force of any provision of section 6^{F13} of this Act or Schedule 2 or 5 to this Act including in particular, but without prejudice to the generality of the preceding provisions of this subsection,—

- (a) provision for modifying any enactment passed before this Act;
- (b) provision for treating anything done under an enactment which is altered or replaced by a provision of the sections or Schedules aforesaid as done under the enactment as so altered or replaced; and
- (c) provision for the payment of supplementary benefit, of an amount specified in or determined in pursuance of the regulations, to a person who, apart from the provision, would by virtue of this Act cease to be entitled to supplementary benefit or become entitled to supplementary benefit of an amount smaller than that to which he would have been entitled apart from this Act;

and regulations made by virtue of this subsection may be made so as to have effect from a date before that on which they are made but not before the date of the passing of this Act.

(2) An order under section 21(5) of this Act which brings into force a provision of this Act which is mentioned in the preceding subsection—

- (a) may contain such transitional provisions, including savings, as the Secretary of State considers appropriate in connection with or arising out of the coming into force of that provision; and
- (b) may, without prejudice to the generality of the preceding paragraph, provide that the provision shall come into force in relation to such cases only as are specified in the order and accordingly that in relation to other cases the law shall remain unaffected by that provision;

and the Secretary of State may by order made by statutory instrument vary or revoke any provision which by virtue of this subsection is included in another order.

(3) Nothing in either of the preceding subsections shall be construed as derogating from the other of them.

(4) The power to make regulations conferred by subsection (1) of this section shall be exercisable by statutory instrument and a statutory instrument made by virtue of this subsection shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Textual Amendments

F13 Words repealed by [Social Security Act 1986 \(c. 50\)](#), [Sch. 11](#)

Changes to legislation: There are currently no known outstanding effects for the Social Security Act 1980. (See end of Document for details)

Advisory Committees

9 The Social Security Advisory Committee.

- (1) F14
- (3) F15
- (5) F14
- (6) In Part II of Schedule 1 to the ^{M3}House of Commons Disqualification Act 1975 and Part II of Schedule 1 to the ^{M4}Northern Ireland Assembly Disqualification Act 1975 (which list the bodies of which all the members are disqualified under those Acts) there shall be inserted at the appropriate place in alphabetical order the words “The Social Security Advisory Committee”.
- (7) F14

Textual Amendments

- F14** Ss. 2, 3(1)–(3)(11), 4(3)(5)(6), 5(1), 6(2)(4), 9(1)(2)(5)(7), 10(1)–(5), 11, 13(1)–(3)(5)(6), 14, 17, 18, 19(3), Sch. 1, Sch. 2 para. 21, Sch. 3, Sch. 4, paras. 10, 14 repealed on consolidation (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#)
- F15** S. 9(3)(4), 10(9) repealed by [Social Security \(Consequential Provisions\) \(Northern Ireland\) Act 1992 \(c. 9\)](#), **Sch. 1** and by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#), both on consolidation

Modifications etc. (not altering text)

- C3** The text of ss.3(4)(8)(9)(12), 4(1), 6(1)(3), 9(6), 16(3)–(6), 21(4), Sch. 2 para. 32, Sch. 2 Pt. II, Schs. 4, 5 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

- M3** [1975 c. 24](#)
- M4** [1975 c. 25](#)

10

- (1) F16
- (6) F17
- (7) F18
- (8) F19
- (9) F20

Textual Amendments

- F16** Ss. 2, 3(1)–(3)(11), 4(3)(5)(6), 5(1), 6(2)(4), 9(1)(2)(5)(7), 10(1)–(5), 11, 13(1)–(3)(5)(6), 14, 17, 18, 19(3), Sch. 1, Sch. 2 para. 21, Sch. 3, Sch. 4, paras. 10, 14 repealed on consolidation (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#)
- F17** S. 10(6) repealed by [Social Security \(Consequential Provisions\) \(Northern Ireland\) Act 1992 \(c. 9\)](#), **Sch. 1** (consolidation)
- F18** S. 10(7) repealed by [S.I. 1986/1888 \(N.I. 18\)](#), **Sch. 10**

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- F19** S. 10(8) repealed by Social Security (Consequential Provisions) (Northern Ireland) Act 1992 (c. 9), Sch. 1 (consolidation)
- F20** S. 9(3)(4), 10(9) repealed by Social Security (Consequential Provisions) (Northern Ireland) Act 1992 (c. 9), Sch. 1 and by Social Security (Consequential Provisions) Act 1992 (c. 6), both on consolidation

11 **F21**

Textual Amendments

F21 Ss. 2, 3(1)–(3)(11), 4(3)(5)(6), 5(1), 6(2)(4), 9(1)(2)(5)(7), 10(1)–(5), 11, 13(1)–(3)(5)(6), 14, 17, 18, 19(3), Sch. 1, Sch. 2 para. 21, Sch. 3, Sch. 4, paras. 10, 14 repealed on consolidation (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6)

Commissioners

12 Change of title of National Insurance Commissioners.

National Insurance Commissioners shall, instead of being so called, be called Social Security Commissioners; and accordingly—

- (a) any enactment or instrument passed or made before the coming into force of this section shall have effect, so far as may be necessary in consequence of the change of title made by this section, as if for any reference to a Chief or other National Insurance Commissioner there were substituted respectively a reference to a Chief or other Social Security Commissioner; and
- (b) documents and forms printed or duplicated for use in connection with functions of National Insurance Commissioners may be used notwithstanding that they contain references to such Commissioners and those references shall be construed as references to Social Security Commissioners.

- 13** (1) **F22**
- (4) **F23**
- (5) **F22**
- (7) **F24**

Textual Amendments

F22 Ss. 2, 3(1)–(3)(11), 4(3)(5)(6), 5(1), 6(2)(4), 9(1)(2)(5)(7), 10(1)–(5), 11, 13(1)–(3)(5)(6), 14, 17, 18, 19(3), Sch. 1, Sch. 2 para. 21, Sch. 3, Sch. 4, paras. 10, 14 repealed on consolidation (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6)

F23 S. 13(4) repealed by Courts and Legal Services Act 1990 (c. 41), Sch. 20

F24 S. 13(7) repealed by Social Security (Consequential Provisions) (Northern Ireland) Act 1992 (c. 9), Sch. 1 (consolidation)

14 **F25**

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Textual Amendments

F25 Ss. 2, 3(1)–(3)(11), 4(3)(5)(6), 5(1), 6(2)(4), 9(1)(2)(5)(7), 10(1)–(5), 11, 13(1)–(3)(5)(6), 14, 17, 18, 19(3), Sch. 1, Sch. 2 para. 21, Sch. 3, Sch. 4, paras. 10, 14 repealed on consolidation (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#)

15 **F26**

Textual Amendments

F26 S. 15 repealed by [Social Security Act 1986 \(c. 50\)](#), **Sch. 11**

Miscellaneous

16 Amendments of Pensions Appeal Tribunals Act 1943.

- (1) Her Majesty may by Order in Council provide for an appeal under any provision of the ^{M5}Pensions Appeal Tribunals Act 1943 (hereafter in this section referred to as “the Act”) in respect of a claim for benefit under any instrument mentioned in the Act to be brought or continued by another person after the death of the claimant; and—
 - (a) such an Order may make such modifications of the Act as Her Majesty considers appropriate for the purposes of this subsection; but
 - (b) nothing in this subsection shall be construed as prejudicing the generality of the power to make rules which is conferred by paragraph 5 of the Schedule to the Act.
- (2) An Order in Council under this section—
 - (a) may contain such incidental and supplemental provisions as Her Majesty considers appropriate; and
 - (b) shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (3) In section 5(1) of the Act (which enables a Pensions Appeal Tribunal to uphold an interim assessment by the Minister of a degree of disablement or to assess the disablement at such degree lower than that specified by the Minister as they think proper) for the words from “assess” to “proper” there shall be substituted the words “alter the assessment in one or both of the following ways, namely—
 - (a) by increasing or reducing the degree of disablement it specifies; and
 - (b) by reducing the period for which the assessment is to be in force.”.

^{F27}(4)

- (5) Section 8(3)(a) of the Act (which is spent) shall be omitted.
- (6) For paragraph (b) of paragraph 5(4) of the Schedule to the Act (which requires rules to provide for payments by the Tribunal of certain expenses of an appellant) there shall be substituted the following paragraph—
 - “(b) sums, in respect of expenses, allowances and fees connected with appeals to the Tribunal, to such persons and in such circumstances

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as are specified in the rules and of such amounts as are determined by the Lord Chancellor with the consent of the Minister for the Civil Service; and”and accordingly in section 14 of the Act (under which the Act has effect, in its application to Northern Ireland, with the substitution of a reference to the Lord Chief Justice for Northern Ireland for any reference to the Lord Chancellor except in paragraph 7A of the Schedule to the Act) for the words “paragraph 7A” there shall be substituted the words “paragraph 5(4)(b)”.

Textual Amendments

F27 S. 16(4) repealed (6.4.2005) by [Armed Forces \(Pensions and Compensation\) Act 2004 \(c. 32\), s. 8, Sch. 3; S.I. 2005/356, art. 2\(2\), Sch. 2](#)

Modifications etc. (not altering text)

C4 The text of ss.3(4)(8)(9)(12), 4(1), 6(1)(3), 9(6), 16(3)–(6), 21(4), Sch. 2 para. 32, Sch. 2 Pt. II, Schs. 4, 5 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M5 1943 c. 39.

17, 18. **F28**

Textual Amendments

F28 [Ss. 2, 3\(1\)–\(3\)\(11\), 4\(3\)\(5\)\(6\), 5\(1\), 6\(2\)\(4\), 9\(1\)\(2\)\(5\)\(7\), 10\(1\)–\(5\), 11, 13\(1\)–\(3\)\(5\)\(6\), 14, 17, 18, 19\(3\), Sch. 1, Sch. 2 para. 21, Sch. 3, Sch. 4, paras. 10, 14](#) repealed on consolidation (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#)

General

19 Expenses.

- (1) Any expenses under this Act of a Minister of the Crown shall be paid out of money provided by Parliament.
- (2) Any increase attributable to this Act in the sums which under any other Act are payable out of money provided by Parliament or into the Consolidated Fund shall be paid out of such money or, as the case may be, into that Fund.
- (3) **F29**

Textual Amendments

F29 [Ss. 2, 3\(1\)–\(3\)\(11\), 4\(3\)\(5\)\(6\), 5\(1\), 6\(2\)\(4\), 9\(1\)\(2\)\(5\)\(7\), 10\(1\)–\(5\), 11, 13\(1\)–\(3\)\(5\)\(6\), 14, 17, 18, 19\(3\), Sch. 1, Sch. 2 para. 21, Sch. 3, Sch. 4, paras. 10, 14](#) repealed on consolidation (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#)

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20 Consequential and minor amendments of enactments.

- (1) The enactments specified in Schedule 4 to this Act shall have effect with the amendments specified in that Schedule.
- (2) An order under section 21(5) of this Act which brings into force a provision of the said Schedule 4 may contain such transitional provisions, including savings, as the Secretary of State considers appropriate in connection with or arising out of the coming into force of that provision; and the Secretary of State may by order made by statutory instrument vary or revoke any provision which by virtue of this subsection is included in another order.
- (3) ^{F30}

Textual Amendments

F30 S. 20(3) repealed by [Social Security Act 1986 \(c. 50\)](#), [Sch. 11](#)

21 Supplemental.

- (1) This Act may be cited as the Social Security Act 1980 and this Act and the Social Security Acts 1975 to 1979 may be cited together as the Social Security Acts 1975 to 1980.
- (2) In this Act “the principal Act” means the ^{M6}Social Security Act 1975 and “the Pensions Act” means the ^{M7}Social Security Pensions Act 1975.
- (3) [^{F31}Section 175(3) and (4) of the Social Security Contributions and Benefits Act 1992](which among other things make provision about the extent of powers to make regulations and orders) shall apply to powers to make regulations and orders conferred by sections 8 and 20(2) of this Act and by subsection (5) of this section as extended by the said sections 8 and 20(2) as they apply to powers to make regulations and orders conferred by that Act but as if for references to that Act there were substituted references to the said sections 8 and 20(2) and the said subsection (5) as so extended.
- (4) The enactments and instruments mentioned in the first and second columns of Schedule 5 to this Act are hereby repealed to the extent specified in the third column of that Schedule.
- (5) The following provisions of this Act, namely, section 6 (except subsection (4)) and sections 7 to 10, 14 and 15, Part I and paragraphs 10 and 14 of Schedule 1, Schedules 2 to 4 and Part II of Schedule 5, shall come into force on such day as the Secretary of State may appoint by order made by statutory instrument, and different days may be appointed in pursuance of this subsection for different provisions of this Act; and accordingly the other provisions of this Act come into force on the passing of this Act.
- (6) The following provisions only of this Act shall extend to Northern Ireland, namely—
sections 9 to 16, except sections 11, 13(6) and 15;
section 20(1) and (2) and Schedule 4 so far as they relate to the ^{M8}Polish Resettlement Act 1947 and the ^{M9}Maintenance Orders Act 1950;
this section;
Schedule 3; and
Schedule 5 so far as it relates to the ^{M10}Pensions Appeal Tribunals Act 1943, the Polish Resettlement Act 1947, the Merchant Shipping Act 1970,

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section 142(5) of the principal Act, the House of Commons Disqualification Act 1975, the Northern Ireland Assembly Disqualification Act 1975, section 36(2) of the Supplementary Benefits Act 1976 and Part III of Schedule 2 to the Administration of Justice Act 1977.

Textual Amendments

F31 Words substituted by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#), **Sch. 2**, para. 59

Modifications etc. (not altering text)

C5 The text of ss.3(4)(8)(9)(12), 4(1), 6(1)(3), 9(6), 16(3)–(6), 21(4), Sch. 2 para. 32, Sch. 2 Pt. II, Schs. 4, 5 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

C6 Power exercised by [S.I. 1980/729](#), 1981/1438, 1983/1002, 1984/1492

Marginal Citations

M6 1975 c. 14.

M7 1975 c. 60.

M8 1947 c. 19.

M9 1950 c. 37.

M10 1943 c. 39.

Changes to legislation:

There are currently no known outstanding effects for the Social Security Act 1980.