

## SCHEDULES

### SCHEDULE 5

Article 42(1).

#### TRANSITIONAL PROVISIONS AND SAVINGS

### PART I

#### *General Provisions*

1.—(1) In so far as any order, rule, regulation, appointment, approval or other thing made or done, or deemed to be made or done, under an enactment repealed by this Order could have been made or done under a corresponding provision of this Order, it shall not be invalidated by the repeal but shall have effect as if made or done under that provision.

(2) Anything begun under an enactment repealed by this Order may be continued under the corresponding provision of this Order as if begun under that provision.

(3) References in this Order to things done, suffered or occurring in the past shall, so far as the context requires for the continuity of operation between enactments repealed by this Order and the corresponding provisions of this Order, be construed as including references to things done, suffered or occurring before the commencement of this Order.

(4) Where any instrument or document refers expressly or by implication to an enactment repealed by this Order, the reference shall, except where the context otherwise requires, be construed as, or as including, a reference to the corresponding provision of this Order.

2.—(1) Paragraph 1 applies in particular to any claim for, or award of, supplementary benefit made before the commencement of this Order and to anything done or occurring in, or for the purposes of, adjudication proceedings before that time.

(2) Any question as to entitlement to, or the amount of, any supplementary benefit, and any other question with respect to supplementary benefit, for any period shall be determined in accordance with the provisions with respect to those matters in force during that period.

*Para. 3 rep. by 1980 NI 8*

### PART II

#### *Specific provisions*

*(including some retained from previous Acts)*

4. Any enactment or instrument that is to be construed in accordance with section 1(3) of the Supplementary Benefits &c. Act (Northern Ireland) 1966, shall continue to be so construed notwithstanding the repeal by this Order of the said Act of 1966.

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to Supplementary Benefits (Northern Ireland) Order 1977. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

*Para. 5 rep. with saving by 1980 NI 8*

*Para. 6 rep. by 1980 NI 8*

7.—(1) Any proceedings for the recovery of a sum which, if the Supplementary Benefits &c. Act (Northern Ireland) 1966 had not been passed, could have been taken by the National Assistance Board for Northern Ireland may be taken [<sup>F1</sup> by the Department].

(2) Any payments ordered in proceedings continued or begun by virtue of sub-paragraph (1) or of paragraph 8 of Schedule 6 to the Supplementary Benefits &c. Act (Northern Ireland) 1966 which, if that Act had not been passed, would have been ordered to be made to the National Assistance Board for Northern Ireland shall be ordered to be made to the Department.

*Sub-para. (3) rep. by 1980 NI 8*

<b>F1</b> 1980 NI 8
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*Para. 8 rep. by 1980 NI 8*

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to Supplementary Benefits (Northern Ireland) Order 1977. Any changes that have already been made by the team appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Sch. 1 para. 23 modified by [S.I. 1978/1526 reg. 2Sch. Pt. 3](#)