

## SCHEDULES

### SCHEDULE 7

Section 35(2).

#### CONSEQUENTIAL AMENDMENTS

##### *Polish Resettlement Act 1947*

- 1 In section 3 of the Polish Resettlement Act 1947—
- (a) in subsection (5), for the words " regulations made for the purposes of section 11 of the Ministry of Social Security Act 1966 " there shall be substituted the words " regulations made, or having effect as if made, under or for the purposes of section 5 of the Supplementary Benefits Act 1976 " ;
  - (b) in subsection (7), for the words " sections 26 and 29 of the Ministry of Social Security Act 1966 " there shall be substituted the words " sections 20 and 21 of the Supplementary Benefits Act 1976 " ;
  - (c) in subsection (8), for the words " section 23 of the Ministry of Social Security Act 1966 " there shall be substituted the words " section 18 of the Supplementary Benefits Act 1976 " ; and
  - (d) in subsection (9), for the words " section 33(3)(a) of the Ministry of Social Security Act 1966 " there shall be substituted the words " section 26(3)(a) of the Supplementary Benefits Act 1976 " .
- 2 In the Schedule to that Act, in paragraph 4—
- (a) for the words " constituted under Schedule 3 to the Ministry of Social Security Act 1966 " there shall be substituted the words " constituted in accordance with Schedule 4 to the Supplementary Benefits Act 1976 " ; and
  - (b) for the words " section 18(1) of the Ministry of Social Security Act 1966 " there shall be substituted the words " section 15(1) of the Supplementary Benefits Act 1976 " .

##### *National Assistance Act 1948*

- 3 In section 22 of the National Assistance Act 1948—
- (a) in subsection (3), for the words "the Ministry of Social Security Act 1966" there shall be substituted the words " the Supplementary Benefits Act 1976 " ;
  - (b) in subsection (5), for the words " Schedule 2 to the Ministry of Social Security Act 1966" there shall be substituted the words " Schedule 1 to the Supplementary Benefits Act 1976 " ; and
  - (c) in subsection (9), for the words "the Ministry of Social Security Act 1966" there shall be substituted the words " the Supplementary Benefits Act 1976 " .
- 4 In section 43 of that Act, there shall be inserted the following subsections—
- “(6) Any order made, whether before or after the commencement of the Supplementary Benefits Act 1976, under this section shall be enforceable as

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an affiliation order, and accordingly subsection (1) of section 56 of this Act shall not apply to any sum due under such an order.

(7) Any proceedings for such an order (but not proceedings for the enforcement, revocation or variation of such an order) shall be included among the proceedings which are domestic proceedings within the meaning of the Magistrates' Courts Act 1952; and section 56 of that Act (definition of 'domestic proceedings') shall have effect accordingly.

(8) Subsections (6) and (7) of this section do not extend to Scotland.”.

5 In section 53 of that Act, for the words " Schedule 3 to (he Ministry of Social Security Act 1966 " there shall be substituted the words " Schedule 4 to the Supplementary Benefits Act 1976 ".

6 In Schedule 6 to that Act—

(a) in paragraph 4(2), for the words "the Ministry of Social Security Act 1966 " there shall be substituted the words " the Supplementary Benefits Act 1976 " ; and

(b) in paragraph 8(3)(b), for the words "Schedule 4 to the Ministry of Social Security Act 1966 " there shall be substituted the words " Schedule 5 to the Supplementary Benefits Act 1976 ".

#### *Maintenance Orders Act 1950*

7 In section 3(1) of the Maintenance Orders Act 1950, the word " or " where secondly occurring shall be omitted and after the words " Children Act 1948 " there shall be inserted the words " or section 19 of the Supplementary Benefits Act 1976 ".

8 In section 4 of that Act—

(a) at the end of subsection (1) there shall be inserted the following—

“(c) for an order under section 18 of the Supplementary Benefits Act 1976 (which provides for the recovery of expenditure on supplementary benefits from persons liable for maintenance).”; and

(b) in subsection (2) the word " or " where first occurring shall be omitted and after the word " forty-three " there shall be inserted the words " or the said section 18 ".

9 In section 8(1) of that Act, after the words "Children Act 1948 or section 81 of the Social Work (Scotland) Act 1968 " there shall be inserted the words " or section 19(8) of the Supplementary Benefits Act 1976 ".

10 In section 9 of that Act—

(a) at the end of subsection (1) there shall be inserted the following—

“(c) for an order under section 18 of the Supplementary Benefits Act 1976 (which provides for the recovery of expenditure on supplementary benefits from persons liable for maintenance).”; and

(b) in subsection (2) after the words "forty-three or the said section 80 " there shall be inserted the words " or the said section 18 ".

11 In section 11(1) of that Act, the word " or " where first occurring shall be omitted and after " 1950 "there shall be inserted the words " or section 25 of the Supplementary Benefits &c. Act (Northern Ireland) 1966 ".

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- 12 In section 12 of that Act—
- (a) at the end of subsection (1) there shall be inserted the following—
    - “(c) for an order under section 24 of the Supplementary Benefits &c. Act (Northern Ireland) 1966 (which provides for the recovery of the cost of supplementary benefit from persons liable for maintenance).”; and
  - (b) at the end of subsection (2), for the words " or of any order made under the said section 20 or the said section 11 " there shall be substituted the words " or of any order made under any of the said sections 11, 20 and 24 ".

- 13 In section 16(2) of that Act—
- (a) at the end of paragraph (a) there shall be inserted the following—
    - “(vi) section 18 of the Supplementary Benefits Act 1976 or section 4 of the Affiliation Proceedings Act 1957 on an application made under section 19(2) of the Act of 1976;”;
  - (b) at the end of paragraph (b) there shall be inserted the following—
    - “(viii) an order made on an application under section 19(8)(b) of the Supplementary Benefits Act 1976 ;”; and
  - (c) at the end of paragraph (c) there shall be inserted the following—
    - “(vi) section 24 or 25 of the Supplementary Benefits &c. Act (Northern Ireland) 1966.”.

*Ecclesiastical Jurisdiction Measure 1963*

- 14 In section 55(7) of the Ecclesiastical Jurisdiction Measure 1963, as amended by section 1 of the Ecclesiastical Jurisdiction (Amendment) Measure 1974, in the definition of "affiliation order" the word "or" shall be omitted and at the end there shall be inserted the words " or section 19 of the Supplementary Benefits Act 1976 ".

*Legal Aid (Scotland) Act 1967*

- 15 In section 4(5) of the Legal Aid (Scotland) Act 1967—
- (a) for the words "paragraphs 19, 20, 24 and 25 of Schedule 2 to the Ministry of Social Security Act 1966 " there shall be substituted the words " paragraphs 17, 18, and 23 to 25 of Schedule 1 to the Supplementary Benefits Act 1976 "; and
  - (b) for the words " the said paragraph 19 " there shall be substituted the words " the said paragraph 17 ".

*Income and Corporation Taxes Act 1970*

- 16 In section 219(2) of the Income and Corporation Taxes Act 1970, for the words "the Ministry of Social Security Act 1966 " there shall be substituted the words " the Supplementary Benefits Act 1976 ".

*Administration of Justice Act 1970*

- 17 In Schedule 8 to the Administration of Justice Act 1970—

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- (a) in paragraph 5, the word " or" shall be omitted and for the words " Act 1966) " there shall be substituted the words " Act 1966 or section 19 of the Supplementary Benefits Act 1976) "; and
- (b) in paragraph 6, the word " or" where first occurring shall be omitted and after the words " Act 1966 " there shall be inserted the words " or section 18 of the Supplementary Benefits Act 1976 ".

*Local Authority Social Services Act 1970*

- 18 In Schedule 1 to the Local Authority Social Services Act 1970, the entry relating to Schedule 4 to the Ministry of Social Security Act 1966 shall be omitted and at the end of the Schedule there shall be inserted the following entry—

“Supplementary Benefits Act 1976 Schedule 5.”.	Provision and maintenance of reception centres for persons without a settled way of living
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*Family Income Supplements Act 1970*

- 19 In section 7(3) of the Family Income Supplements Act 1970, for the words "Schedule 3 to the Ministry of Social Security Act 1966" there shall be substituted the words " Schedule 4 to the Supplementary Benefits Act 1976 ".

*Attachment of Earnings Act 1971*

- 20 In Schedule 1 to the Attachment of Earnings Act 1971—
- (a) in paragraph 6, the word " or" shall be omitted and for the words " Act 1966) " there shall be substituted the words " Act 1966 or section 19 of the Supplementary Benefits Act 1976) "; and
  - (b) in paragraph 7, the word " or " where first occurring shall be omitted and after the words " Act 1966 " there shall be inserted the words " or section 18 of the Supplementary Benefits Act 1976 ".
- 21 In Schedule 4 to that Act (as having effect in accordance with section 1(3) of, and paragraph 44 of Schedule 2 to, the Social Security (Consequential Provisions) Act 1975), in the list of enactments the entry "The [Supplementary Benefit Act 1966 \(c.20\)](#)" shall be omitted and at the end there shall be inserted the entry " The Supplementary Benefits Act 1976 ".

*Tribunals and Inquiries Act 1971*

- 22 In the Tribunals and Inquiries Act 1971—
- (a) in section 7(3), for the words " 20 or 28(a)" there shall be substituted the words " 28(a) or 30B "; and
  - (b) in Part I of Schedule 1, paragraph 20 shall be omitted and after paragraph 30A there shall be inserted—

“Supplementary benefits &c.	30B. The appeal tribunals constituted in accordance with Schedule 4 to the Supplementary Benefits Act 1976.”.
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*Housing (Financial Provisions) (Scotland) Act 1972*

- 23 In section 22(1) of the Housing (Financial Provisions) (Scotland) Act 1972, for the definition of " supplementary benefit" there shall be substituted—  
    "supplementary benefit ' means benefit under Part I of the Supplementary Benefits Act 1976 except that it does not include benefit under section 3 (supplementary benefit to meet exceptional needs) of that Act;".
- 24 In paragraph 9(2)(g) of Schedule 2 to that Act, for the words " the Ministry of Social Security Act 1966 " there shall be substituted the words " the Supplementary Benefits Act 1976 " .
- 25 In Schedule 3 to that Act—  
    (a) in paragraph 17(1), for the words " the Ministry of Social Security Act 1966" there shall be substituted the words " the Supplementary Benefits Act 1976 "; and  
    (b) in paragraph 18(2), for the words " the Ministry of Social Security Act 1966 as amended by this Act" there shall be substituted the words " the Supplementary Benefits Act 1976 " .

*Housing Finance Act 1972*

- 26 In section 26(1) of the Housing Finance Act 1972, for the definition of "supplementary benefit" there shall be substituted—  
    "supplementary benefit ' means benefit under Part I of the Supplementary Benefits Act 1976 except that it does not include benefit under section 3 (supplementary benefit to meet exceptional needs) of that Act;".
- 27 In paragraph 9(2)(g) of Schedule 3 to that Act, for the words " the Ministry of Social Security Act 1966 " there shall be substituted the words " the Supplementary Benefits Act 1976 " .
- 28 In Schedule 4 to that Act—  
    (a) in paragraph 16(1), for the words "the Ministry of Social Security Act 1966" there shall be substituted the words " the Supplementary Benefits Act 1976 "; and  
    (b) in paragraph 17(2), for the words "the Ministry of Social Security Act 1966 as amended by this Act" there shall be substituted the words " the Supplementary Benefits Act 1976 " .

*Affiliation Proceedings (Amendment) Act 1972*

- 29 In section 3(1)(a) of the Affiliation Proceedings (Amendment) Act 1972, for the words "section 24 of the Ministry of Social Security Act 1966 " there shall be substituted the words " section 19 of the Supplementary Benefits Act 1976 " .

*National Health Service Reorganisation Act 1973*

- 30 In subsection (1) of section 50 of the National Health Service Reorganisation Act 1973, the words from " and accordingly " to the end of the subsection shall be omitted.

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*Employment and Training Act 1973*

- 31 In section 12(2)(b) of the Employment and Training Act 1973, for the words "benefit within the meaning of the Ministry of Social Security Act 1966" there shall be substituted the words "supplementary benefit within the meaning of the Supplementary Benefits Act 1976".

*Local Government (Scotland) Act 1973*

- 32 In section 113(1) of the Local Government (Scotland) Act 1973, for the words "section 16(2) of the Ministry of Social Security Act 1966" there shall be substituted the words "section 12(3) of the Supplementary Benefits Act 1976".

*Legal Aid Act 1974*

- 33 In each of the following provisions of the Legal Aid Act 1974, for the words "the Ministry of Social Security Act 1966" there shall be substituted the words "the Supplementary Benefits Act 1976" —

- (a) section 1(1)(b);
- (b) section 4(2);
- (c) section 11(5).

- 34 In section 11(6) of that Act—

- (a) for the words "paragraphs 19, 20, 24 and 25 of Schedule 2 to the Ministry of Social Security Act 1966" there shall be substituted the words "paragraphs 17, 18, and 23 to 25 of Schedule 1 to the Supplementary Benefits Act 1976"; and
- (b) for the words "the said paragraph 19" there shall be substituted the words "the said paragraph 17".

- 35 In paragraph 3(c) of Part I of Schedule 1 to that Act, for the words "section 23 of the Ministry of Social Security Act 1966" there shall be substituted the words "section 18 of the Supplementary Benefits Act 1976".

*National Insurance Act 1974*

- 36 In section 6(1) of the National Insurance Act 1974, for the words "the Supplementary Benefit Acts 1966 to 1973" there shall be substituted the words "the Supplementary Benefits Act 1976".

*Social Security Act 1975*

- 37 In section 80(2)(b) of the Social Security Act 1975, for the words "the Supplementary Benefit Act 1966" there shall be substituted the words "the Supplementary Benefits Act 1976".

*Criminal Procedure (Scotland) Act 1975*

- 38 In Schedule 4 to the Criminal Procedure (Scotland) Act 1975, for the reference to section 33(6) of the Ministry of Social Security Act 1966 there shall be substituted a reference to section 26(5) of this Act.

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*House of Commons Disqualification Act 1975*

- 39 In Part III of Schedule 1 to the House of Commons Disqualification Act 1975, for the words " Chairman of an Appeal Tribunal constituted under Schedule 3 to the Ministry of Social Security Act 1966 or" there shall be substituted the words " Chairman of an Appeal Tribunal constituted in accordance with Schedule 4 to the Supplementary Benefits Act 1976 or under ".

*Employment Protection Act 1975*

- 40 In section 112 of the Employment Protection Act 1975—
- (a) in subsection (3)(c), for the words "under the Supplementary Benefit Act 1966" there shall be substituted the words " in accordance with the Supplementary Benefits Act 1976 " and for the words "section 18(2) and (3) of that Act" there shall be substituted the words " section 15(2) and (3) of that Act ";
  - (b) for subsection (5)(b) there shall be substituted the following—
    - “(b) Sections 18 and 20 of the Supplementary Benefits Act 1976 (recovery of expenditure on supplementary benefits from persons liable for maintenance and recovery in cases of misrepresentation or nondisclosure) shall not apply to the supplementary benefit recouped”;
  - (c) in subsection (8), for the definition of " supplementary benefit " there shall be substituted the following—
    - “ supplementary benefit ' has the same meaning as in the Supplementary Benefits Act 1976”.
- 41 In section 113 of that Act, for the words "the Supplementary Benefit Act 1966" there shall be substituted the words " the Supplementary Benefits Act 1976 ".