



# Social Security Act 1981

## 1981 CHAPTER 33

An Act to amend the law relating to social security, and the calculation of maternity pay; and to provide for the modification of the Pensions Appeal Tribunals Act 1943. [2nd July 1981]

### Modifications etc. (not altering text)

- C1 Power to modify conferred by [Social Security Act 1986 \(c. 50, SIF 113:1\)](#), s. 17(1)
- C2 Power to modify conferred by [Social Security Act 1986 \(c. 50, SIF 113:1\)](#), s. 54(1)

### Commencement Information

- I1 Act partly in force at Royal Assent see [s.8\(3\)](#); Act wholly in force at 10.8.1981.

1 ..... F1

### Textual Amendments

- F1 S. 1 repealed by [Social Security Act 1986 \(c. 50, SIF 113:1\)](#), s. 86(2), [Sch. 11](#)

## 2 Maternity pay.

In section 35 of the <sup>M1</sup>Employment Protection (Consolidation) Act 1978 (calculation of maternity pay by reference to amount of employee's weekly pay) the following subsections are inserted at the end—

“(5) The Secretary of State may by order amend subsection (1) above—

- (a) by substituting for the fraction of nine-tenths referred to there, or the fraction as substituted from time to time under this subsection, such greater fraction as he considers appropriate ; or
- (b) by deleting the reference to a fraction.

*Changes to legislation: There are currently no known outstanding effects for the Social Security Act 1981. (See end of Document for details)*

(6) No order shall be made under subsection (5) above unless a draft of the order has been laid before Parliament and approved by resolution of each House of Parliament.”

**Modifications etc. (not altering text)**

**C3** The text of ss. 2, 5, 6(1)(2)(3) and 8(4)(5) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.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** 1978 c. 44.

**3 Increases in certain penalties.**

- (1) Schedule 1 to this Act has effect in relation to the penalties that may be imposed on summary conviction of certain offences.
- (2) Schedule 1 has effect only in relation to offences committed after the commencement of this section.

**4** ..... <sup>F2</sup>

**Textual Amendments**

**F2** S. 4 repealed by [Social Security Act 1986 \(c. 50, SIF 113:1\)](#), s. 86(2), [Sch. 11](#)

<sup>F3</sup>**5** .....

**Textual Amendments**

**F3** S. 5 repealed (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c.6\)](#), ss. 3, 7(2), [Sch. 1](#) (subject as mentioned (6.3.1992) in [Local Government Finance Act 1992 \(c. 14\)](#), s. [118\(5\)\(7\)](#) (with s. [118\(1\)\(2\)\(4\)](#))).

<sup>F4</sup>**6** .....

**Textual Amendments**

**F4** S. 6 repealed (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c.6\)](#), ss. 3, 7(2), [Sch. 1](#) (subject as mentioned (6.3.1992) in [Local Government Finance Act 1992 \(c. 14\)](#), s. [118\(5\)\(7\)](#) (with s. [118\(1\)\(2\)\(4\)](#))).

*Changes to legislation: There are currently no known outstanding effects for the Social Security Act 1981. (See end of Document for details)*

## 7 Amendment of Pensions Appeal Tribunals Act 1943.

Her Majesty may by Order in Council make such modifications of the <sup>M2</sup>Pensions Appeal Tribunals Act 1943 as she considers appropriate for the purpose of providing for appeals under any provision of that Act in respect of claims under any instrument relating to members of the former Indian and Burmese armed forces.

### Marginal Citations

M2 1943 c. 39.

## 8 Short title etc.

(1) This Act may be cited as the Social Security Act 1981, and this Act and the Social Security Acts 1975 to 1980 may be cited together as the Social Security Acts 1975 to 1981.

<sup>F5</sup>(2) .....

(3) Section 1 of this Act and subsections (1) to (3) and (6) of this section come into force on the passing of this Act and the other provisions of this Act come into force on such day as the Secretary of State may appoint by order made by statutory instrument.

(4) The enactments mentioned in Schedule 2 to this Act shall have effect subject to the minor and consequential amendments specified in that Schedule.

(5) The following spent enactments, that is to say section 14(6) of the <sup>M3</sup>Social Security (Miscellaneous Provisions) Act 1977 and in section 22(16) of that Act the words from “and in section 11” to the end, are hereby repealed.

(6) This Act, except subsection (2) above and section 7 and paragraph 1 of Schedule 2, does not extend to Northern Ireland.

### Subordinate Legislation Made

P1 [S. 8\(3\)](#) power fully exercised (3.7.1981): 10.8.1981 appointed day by [S.I. 1981/953](#).

### Textual Amendments

F5 [S. 8\(2\)](#) repealed (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c.6\)](#), ss. 3, 7(2), [Sch. 1](#) (subject as mentioned (6.3.1992) in [Local Government Finance Act 1992 \(c. 14\)](#), [s. 118\(5\)\(7\)](#) (with [s. 118\(1\)\(2\)\(4\)](#))).

### Modifications etc. (not altering text)

C4 The text of ss. 2, 5, 6(1)(2)(3) and 8(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 1977 c. 5.

*Changes to legislation: There are currently no known outstanding effects for the Social Security Act 1981. (See end of Document for details)*

SCHEDULE 1

Section 3.

INCREASE IN PENALTIES

**Modifications etc. (not altering text)**

**C5** The text of Schedules 1 and 2 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

1, 2. . . . . **F6**

**Textual Amendments**

**F6** Sch. 1 paras. 1, 2, 3(b), 4, 5, 8 and 9 repealed by [Social Security Act 1986 \(c. 50, SIF 113:1\)](#), s. 86(2), [Sch. 11](#)

3 In section 146 of the Act of 1975—

- F7**(a) . . . . .
- (b) . . . . . **F8**

**Textual Amendments**

**F7** Sch. 1 para. 3(a) repealed (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c.6\)](#), ss. 3, 7(2), [Sch.1](#) (subject as mentioned (6.3.1992) in [Local Government Finance Act 1992 \(c. 14\)](#), s. 118(5) (7) (with s. 118(1)(2)(4))).

**F8** Sch. 1 paras. 1, 2, 3(b), 4, 5, 8 and 9 repealed by [Social Security Act 1986 \(c. 50, SIF 113:1\)](#), s. 86(2), [Sch. 11](#)

4, 5. . . . . **F9**

**Textual Amendments**

**F9** Sch. 1 paras. 1, 2, 3(b), 4, 5, 8 and 9 repealed by [Social Security Act 1986 \(c. 50, SIF 113:1\)](#), s. 86(2), [Sch. 11](#)

*Supplementary Benefits Act 1976 (c. 71)*

**F10**6 . . . . .

**Textual Amendments**

**F10** Sch. 1 para. 6 repealed (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c.6\)](#), ss. 3, 7(2), [Sch.1](#) (subject as mentioned (6.3.1992) in [Local Government Finance Act 1992 \(c. 14\)](#), s. 118(5) (7) (with s. 118(1)(2)(4))).

**F11**7 . . . . .

*Changes to legislation: There are currently no known outstanding effects for the Social Security Act 1981. (See end of Document for details)*

**Textual Amendments**

**F11** Sch. 1 para. 7 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c.6), ss. 3, 7(2), **Sch.1** (subject as mentioned (6.3.1992) in Local Government Finance Act 1992 (c. 14), **s. 118(5)(7)** (with s. 118(1)(2)(4))).

8, 9. . . . . **F12**

**Textual Amendments**

**F12** Sch. 1 paras. 1, 2, 3(b), 4, 5, 8 and 9 repealed by Social Security Act 1986 (c. 50, SIF 113:1), s. 86(2), **Sch. 11**

SCHEDULE 2

Section 8.

MINOR AND CONSEQUENTIAL AMENDMENTS

**Modifications etc. (not altering text)**

**C6** The text of Schedules 1 and 2 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

*Social Security Act 1973 (c. 38)*

**F13**<sub>1</sub> . . . . .

**Textual Amendments**

**F13** Sch. 2 para. 1 repealed (7.2.1994) by 1993 c. 48, s. 188(1), **Sch. 5**, Pt.I(with s. 6(8); S.I. 1994/86, **art. 2**

*Social Security Act 1975 (c. 14)*

**F14**<sub>2</sub> . . . . .

**Textual Amendments**

**F14** Sch. 2 para. 2 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c.6), ss. 3, 7(2), **Sch.1** (subject as mentioned (6.3.1992) in Local Government Finance Act 1992 (c. 14), **s. 118(5)(7)** (with s. 118(1)(2)(4))).

3 . . . . . **F15**

**Textual Amendments**

**F15** Sch. 2 para. 3 repealed by Social Security Act 1985 (c. 53, SIF 113:1), s. 29(2), **Sch. 6**

**Changes to legislation:**

There are currently no known outstanding effects for the Social Security Act 1981.