

SCHEDULES

SCHEDULE 4

AMENDMENTS AND TRANSITIONAL PROVISIONS

PART I

MINOR AND CONSEQUENTIAL AMENDMENTS

Supplementary Benefits Act 1976 (c. 71)

- 22 In section 12 of the Supplementary Benefits Act 1976 (prevention of duplication of payments)—
- (a) subsection (3) is hereby repealed ; and
 - (b) in subsection (5) for the words " subsection (1), (2) or (3)" there are substituted the words
"subsection (1) or (2)".
- 23 (1) Section 14 of the Act of 1976 (administration of supplementary benefit) is amended as follows.
- (2) After paragraph (d), in subsection (2), there is inserted the following paragraph—
- “(dd) as respects matters arising in connection with the making of interim payments (including provision for the recovery of such payments in whole or in part);”.
- (3) After subsection (2) there are inserted the following subsections—
- “(2A) Where any amount is recoverable under regulations made by virtue of subsection (2)(dd) above, it may, without prejudice to any other method of recovery, be recovered by deduction from prescribed benefits.
 - (2B) In subsection (2)(dd) above ' interim payments' means payments made—
 - (a) otherwise than in accordance with this Act, under arrangements made by the Secretary of State with the consent of the Treasury ; and
 - (b) pending the determination, whether in the first instance or on an appeal or reference and whether originally or on review, of any claim for supplementary benefit.”.
- 24 In section 15A(4) of the Act of 1976 (powers of Commissioners on hearing appeals from Appeal Tribunals) for paragraph (b) there is substituted—
- “(b) to refer the case to an Appeal Tribunal, with directions (which may include directions as to the constitution of the tribunal);”.
- 25 In section 19 of the Act of 1976 (affiliation orders)—
- (a) in subsection (4) for the words "the mother or a person having custody of the child" there are substituted the words

Status: This is the original version (as it was originally enacted).

- “a person entitled under section 5 of the said Act of 1957”; and
- (b) in subsection (6) for the words from " the mother or a per son " to the end there are substituted the words

“a person entitled under section 5 of the said Act of 1957”.

- 26 In section 20 of the Act of 1976 (recovery in cases of misrepresentation or non-disclosure), in subsection (5), for the words "subsection (4) " there are substituted the words

“subsections (4). (6) and (7)”.