



Social Security Act 1986

1986 CHAPTER 50

An Act to make provision in relation to personal pension schemes, to amend the law relating to social security, occupational pension schemes and the provision of refreshments for school pupils, to abolish maternity pay under the Employment Protection (Consolidation) Act 1978 and provide for the winding-up of the Maternity Pay Fund, to empower the Secretary of State to pay the travelling expenses of certain persons, and for connected purposes. [25th July 1986]

^{X1}Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Editorial Information

- X1** The base date version of this Act is as revised to 1.7.1992 and takes account of the effects on it of the consolidating legislation which came into force at that date

Extent Information

- E1** Act extends to England, Wales and Scotland except as provided by s. 87(1) to (4) see s. 87(5)

Modifications etc. (not altering text)

- C1** Words of enactment omitted under [Statute Law Revision Act 1948 \(c. 62\), s. 3](#)
- C2** Act: definition applied (E.W.S.) (1.10.1992) by [Criminal Justice Act 1991 \(c. 53, SIF 39:1\), s. 24\(4\); S.I. 1992/333, art. 2\(2\), Sch.2](#)
- C3** By [Criminal Justice Act 1991 \(c. 53, SIF 39:1\), s. 101\(1\), Sch. 12 para. 23; S.I. 1991/2208, art. 2\(1\), Sch.1](#) it is provided (14.10.1991) that in relation to any time before the commencement of s. 70 of that 1991 Act (which came into force on 1.10.1992 by [S.I. 1992/333, art. 2\(2\), Sch. 2](#)) references in any enactment amended by that 1991 Act, to youth courts shall be construed as references to juvenile courts.

Status: Point in time view as at 06/04/2009.

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PART I

PENSIONS

Personal pension schemes

F1

Textual Amendments
F1 Ss. 1-8 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

F2

Textual Amendments
F2 Ss. 1-8 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

F3

Textual Amendments
F3 Ss. 1-8 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

F4

Textual Amendments
F4 Ss. 1-8 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

F5

Textual Amendments
F5 Ss. 1-8 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

Occupational pension schemes

F6

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Textual Amendments

F6 Ss. 1-8 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

F7

Textual Amendments

F7 S. 7 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I** (with ss. 31, 189, Sch. 6 para. 22)); S.I. 1994/86, **art. 2** and subject to an amendment (25.2.1999 for specified purposes and otherwise 1.4.1999) by 1999 c. 2, ss. 1(1), 23(1)(2), 28(2)(a), **Sch. 1 para. 1(a)-(d)**; S.I. 1999/527, art. 2(b), **Sch. 2**

F8

Textual Amendments

F8 Ss. 1-8 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**

9 Guaranteed minimum pensions.

- F9**(1)
- F9**(2)
- F9**(3)
- F9**(4)
- F9**(5)
- F9**(6)
- F9**(7)

(8) In section 59 of that Act (increase of official pensions) the following subsection shall be inserted after subsection (5)—

“(5A) Nothing in section 37A(13), (14) or (15) above authorises any deduction from an increase in the rate of an official pension under this section.”.

(9) In section 59A of that Act (modification of effect of section 59(5)) the following subsection shall be inserted after subsection (2)—

“(2A) Where in any tax year—

- (a) an increase is calculated in accordance with a direction under this section; and
- (b) the amount by reference to which the increase is calculated, or any part of it, is increased in that tax year under section 37A above,

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the increase calculated in accordance with the direction shall be reduced by the amount of the increase under section 37A above.”.

Textual Amendments
F9 S. 9(1)-(7) repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

Modifications etc. (not altering text)
C4 The text of ss. 9(1)–(3)(7)–(9), 10, 11, 12(11) 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.

F10

Textual Amendments
F10 Ss. 10- 17A repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

F11

Textual Amendments
F11 Ss. 10- 17A repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

Provisions applying to personal and occupational pension schemes

F12

Textual Amendments
F12 Ss. 10- 17A repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2** (and subject to an amendment by 1993 c. 8, s. 31, **Sch. 8 para. 18(1)**; S.I. 1995/631, **art. 2**)

F13

Textual Amendments
F13 Ss. 10- 17A repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**

F14

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Textual Amendments

F14 Ss. 10- 17A repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

F15 **15**

Textual Amendments

F15 Ss. 10- 17A repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

F16 **16**

Textual Amendments

F16 Ss. 10- 17A repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

F17 **17**

Textual Amendments

F17 Ss. 10- 17A repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2** (and subject to an amendment by 1993 c. 8, s. 31, **Sch. 8 para. 18(2)**; S.I. 1995/631, **art. 2**)

F18 **17A**

Textual Amendments

F18 Ss. 10- 17A repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

State earnings-related pension scheme

Textual Amendments

F19 The following sections and schedules are repealed (1.7.1992) by the **Social Security (Consequential Provisions) Act 1992 (c. 6)** on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); ss. 56(2)(b)(3)(b)(4)–(4B), 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); ss. 62–69, 70(1), 73, 74, 79(3)(4); words in s. 80(1); ss. 81, 83(2)(3)(b)–(e); words in s. 83(5); words in s. 84(1); ss. 84(3), 85(1)(a)–(c)(f)(3)(c)(d)(4); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); **Sch. 3** except para. 17; **Sch.4**; **Sch. 5** paras 2–20 and Pt. II paras (b)(c); **Sch. 6**; **Sch. 7**; **Sch. 8** paras 1–3, 5–7; **Sch. 10** paras 10, 34, 40, 48, 54, 62–67, 68(2), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103(a)(b), 104–107, 108(a)

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PART II

INCOME-RELATED BENEFITS

Modifications etc. (not altering text)

- C5** Pt. II (ss. 20-31): power to modify conferred (5.10.1999) by 1998 c. 14, s. 11(1)(3); S.I. 1999/2739, art. 2, Sch. 1 (subject to transitional provisions in Sch. 2)

General

Textual Amendments

- F20** The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); ss. 56(2)(b)(3)(b)(4)–(4B), 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); ss. 62–69, 70(1), 73, 74, 79(3)(4); words in s. 80(1); ss. 81, 83(2)(3)(b)–(e); words in s. 83(5); words in s. 84(1); ss. 84(3), 85(1)(a)–(c)(f)(3)(c)(d)(4); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); Sch. 3 except para. 17; Sch.4; Sch. 5 paras 2–20 and Pt. II paras (b) (c); Sch. 6; Sch. 7; Sch. 8 paras 1–3, 5–7; Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68(2), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103(a)(b), 104–107, 108(a)

Income support

Textual Amendments

- F21** The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); ss. 56(2)(b)(3)(b)(4)–(4B), 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); ss. 62–69, 70(1), 73, 74, 79(3)(4); words in s. 80(1); ss. 81, 83(2)(3)(b)–(e); words in s. 83(5); words in s. 84(1); ss. 84(3), 85(1)(a)–(c)(f)(3)(c)(d)(4); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); Sch. 3 except para. 17; Sch.4; Sch. 5 paras 2–20 and Pt. II paras (b) (c); Sch. 6; Sch. 7; Sch. 8 paras 1–3, 5–7; Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68(2), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103(a)(b), 104–107, 108(a)

Housing benefit

28, 29. F22

Textual Amendments

- F22** The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); ss. 56(2)(b)(3)(b)(4)–(4B), 58; words in s. 61(1)(3)–(5);

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s. 61(7)–(9); words in s. 61(10); ss. 62–69, 70(1), 73, 74, 79(3)(4); words in s. 80(1); ss. 81, 83(2)(3)(b)–(e); words in s. 83(5); words in s. 84(1); ss. 84(3), 85(1)(a)–(c)(f)(3)(c)(d)(4); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); Sch. 3 except para. 17; Sch.4; Sch. 5 paras 2–20 and Pt. II paras (b)(c); Sch. 6; Sch. 7; Sch. 8 paras 1–3, 5–7; Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68(2), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103(a)(b), 104–107, 108(a)

30 Housing benefit finance.

F23

Textual Amendments

F23 S. 30 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 group 2}

31 F24

Textual Amendments

F24 The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); ss. 56(2)(b)(3)(b)(4)–(4B), 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); ss. 62–69, 70(1), 73, 74, 79(3)(4); words in s. 80(1); ss. 81, 83(2)(3)(b)–(e); words in s. 83(5); words in s. 84(1); ss. 84(3), 85(1)(a)–(c)(f)(3)(c)(d)(4); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); Sch. 3 except para. 17; Sch.4; Sch. 5 paras 2–20 and Pt. II paras (b)(c); Sch. 6; Sch. 7; Sch. 8 paras 1–3, 5–7; Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68(2), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103(a)(b), 104–107, 108(a)

PART III

THE SOCIAL FUND

32— F25 35.

Textual Amendments

F25 The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); ss. 56(2)(b)(3)(b)(4)–(4B), 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); ss. 62–69, 70(1), 73, 74, 79(3)(4); words in s. 80(1); ss. 81, 83(2)(3)(b)–(e); words in s. 83(5); words in s. 84(1); ss. 84(3), 85(1)(a)–(c)(f)(3)(c)(d)(4); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); Sch. 3 except para. 17; Sch.4; Sch. 5 paras 2–20 and Pt. II paras (b)(c); Sch. 6; Sch. 7; Sch. 8 paras 1–3, 5–7; Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68(2), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103(a)(b), 104–107, 108(a)

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PART IV

BENEFITS UNDER SOCIAL SECURITY ACT 1975

36 F26

Textual Amendments

F26 The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); ss. 56(2)(b)(3)(b)(4)–(4B), 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); ss. 62–69, 70(1), 73, 74, 79(3)(4); words in s. 80(1); ss. 81, 83(2)(3)(b)–(e); words in s. 83(5); words in s. 84(1); ss. 84(3), 85(1)(a)–(c)(f)(3)(c)(d)(4); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); [Sch. 3](#) except para. 17; [Sch. 4](#); [Sch. 5](#) paras 2–20 and Pt. II paras (b)(c); [Sch. 6](#); [Sch. 7](#); [Sch. 8](#) paras 1–3, 5–7; [Sch. 10](#) paras 10, 34, 40, 48, 54, 62–67, 68(2), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103(a)(b), 104–107, 108(a)

37 **Invalid care allowance for women.**

(1) F27

(2) The ^{M1}Social Security Benefit (Dependency) Regulations 1977 shall have effect, and shall be treated as having had effect from 22nd December 1984, as if the following sub-paragraphs were substituted for sub-paragraphs (a) and (b) of paragraph 7 of Schedule 2 (increases of invalid care allowance)—

“(a) a spouse who is not engaged in any one or more employments from which the spouse’s weekly earnings exceed that amount; or

(b) some person (not being a child) who—

(i) has the care of a child or children in respect of whom the beneficiary is entitled to child benefit, being a child or children in respect of whom the beneficiary is entitled to an increase of an invalid care allowance or would be so entitled but for the provisions of any regulations for the time being in force under the Act relating to overlapping benefits;

(ii) is not undergoing imprisonment or detention in legal custody;

(iii) is not engaged in any one or more employments (other than employment by the beneficiary in caring for a child or children in respect of whom the beneficiary is entitled to child benefit) from which the person’s weekly earnings exceed that amount;

(iv) is not absent from Great Britain, except for any period during which the person is residing with the beneficiary outside Great Britain and for which the beneficiary is entitled to an invalid care allowance.”.

Textual Amendments

F27 The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); ss. 56(2)(b)(3)(b)(4)–(4B), 58; words in s. 61(1)(3)–(5);

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s. 61(7)–(9); words in s. 61(10); ss. 62–69, 70(1), 73, 74, 79(3)(4); words in s. 80(1); ss. 81, 83(2)(3)(b)–(e); words in s. 83(5); words in s. 84(1); ss. 84(3), 85(1)(a)–(c)(f)(3)(c)(d)(4); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); Sch. 3 except para. 17; Sch.4; Sch. 5 paras 2–20 and Pt. II paras (b)(c); Sch. 6; Sch. 7; Sch. 8 paras 1–3, 5–7; Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68(2), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103(a)(b), 104–107, 108(a)

Modifications etc. (not altering text)

C6 The text of s. 37(2) 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 S.I. 1977/343.

38 **F28**

Textual Amendments

F28 The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); ss. 56(2)(b)(3)(b)(4)–(4B), 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); ss. 62–69, 70(1), 73, 74, 79(3)(4); words in s. 80(1); ss. 81, 83(2)(3)(b)–(e); words in s. 83(5); words in s. 84(1); ss. 84(3), 85(1)(a)–(c)(f)(3)(c)(d)(4); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); Sch. 3 except para. 17; Sch.4; Sch. 5 paras 2–20 and Pt. II paras (b)(c); Sch. 6; Sch. 7; Sch. 8 paras 1–3, 5–7; Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68(2), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103(a)(b), 104–107, 108(a)

39 **Industrial injuries and diseases.**

Schedule 3 to this Act shall have effect in relation to Chapters IV and V of Part II of the Social Security Act 1975 and associated enactments.

40— **F29**

45.

Textual Amendments

F29 The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); ss. 56(2)(b)(3)(b)(4)–(4B), 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); ss. 62–69, 70(1), 73, 74, 79(3)(4); words in s. 80(1); ss. 81, 83(2)(3)(b)–(e); words in s. 83(5); words in s. 84(1); ss. 84(3), 85(1)(a)–(c)(f)(3)(c)(d)(4); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); Sch. 3 except para. 17; Sch.4; Sch. 5 paras 2–20 and Pt. II paras (b)(c); Sch. 6; Sch. 7; Sch. 8 paras 1–3, 5–7; Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68(2), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103(a)(b), 104–107, 108(a)

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PART V

MATERNITY PAY ETC.

46— F30
50.

Textual Amendments

F30 The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); [ss. 56\(2\)\(b\)\(3\)\(b\)\(4\)–\(4B\)](#), 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(1 0); [ss. 62–69, 70\(1\), 73, 74, 79\(3\)\(4\)](#); words in s. 80(1); [ss. 81, 83\(2\)\(3\)\(b\)–\(e\)](#); words in s. 83(5); words in s. 84(1); [ss. 84\(3\), 85\(1\)\(a\)–\(c\)\(f\)\(3\)\(c\)\(d\)\(4\)](#); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); [Sch. 3](#) except para. 17; [Sch.4](#); [Sch. 5 paras 2–20](#) and Pt. II paras (b) (c); [Sch. 6](#); [Sch. 7](#); [Sch. 8 paras 1–3, 5–7](#); [Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68\(2\), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103\(a\)\(b\), 104–107, 108\(a\)](#)

PART VI

COMMON PROVISIONS

Modifications etc. (not altering text)

C7 Pt. VI (ss. 51-65): power to amend conferred (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#), [ss. 5, 7\(2\)](#), [Sch. 3 Pt. II para. 22\(3\)\(4\)\(b\)](#).

Administration

51 F31

Textual Amendments

F31 The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); [ss. 56\(2\)\(b\)\(3\)\(b\)\(4\)–\(4B\)](#), 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); [ss. 62–69, 70\(1\), 73, 74, 79\(3\)\(4\)](#); words in s. 80(1); [ss. 81, 83\(2\)\(3\)\(b\)–\(e\)](#); words in s. 83(5); words in s. 84(1); [ss. 84\(3\), 85\(1\)\(a\)–\(c\)\(f\)\(3\)\(c\)\(d\)\(4\)](#); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); [Sch. 3](#) except para. 17; [Sch.4](#); [Sch. 5 paras 2–20](#) and Pt. II paras (b) (c); [Sch. 6](#); [Sch. 7](#); [Sch. 8 paras 1–3, 5–7](#); [Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68\(2\), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103\(a\)\(b\), 104–107, 108\(a\)](#)

[^{F32}51A Community charge benefits:administration.

- (1) Regulations may provide as follows as regards any community charge benefit—
- (a) for requiring a claim for a benefit to be made by such person, in such manner and within such time as may be prescribed;

Status: Point in time view as at 06/04/2009.

Changes to legislation: Social Security Act 1986 is up to date with all changes known to be in force on or before 10 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (b) for treating a claim made in such circumstances as may be prescribed as having been made at such date earlier or later than that at which it is made as may be prescribed;
- (c) for permitting a claim to be made, or treated as if made, for a period wholly or partly after the date on which it is made;
- (d) for permitting an award on a claim to be made for such a period subject to the condition that the claimant satisfies the requirements for entitlement when benefit becomes payable, or any right to a reduction or a consequential reduction becomes available, under the award;
- (e) for a review of any award if those requirements are found not to have been satisfied;
- (f) for the disallowance on any ground of a person's claim for a benefit to be treated as a disallowance of any further claim by that person for that benefit until the grounds of the original disallowance have ceased to exist;
- (g) for enabling one person to act for another in relation to a claim for a benefit and for enabling such a claim to be made and proceeded with in the name of a person who has died;
- (h) for requiring any information or evidence needed for the determination of a claim or of any question arising in connection with a claim to be furnished by such person as may be prescribed in accordance with the regulations;
- (i) for the time when and manner in which any benefit (or part) which takes the form of a payment is to be paid, and for the information and evidence to be furnished in connection with the payment;
- (j) for the time when the right to make a reduction or consequential reduction may be exercised;
- (k) for notice to be given of any change of circumstances affecting the continuance of entitlement to a benefit;
- [for the day on which entitlement to a benefit is to begin or end];
- ^{F33}(kk) (l) for calculating the amount of a benefit according to a prescribed scale or otherwise adjusting it so as to avoid fractional amounts or facilitate computation;
- (m) for suspending (in whole or in part) any payment or right to make a reduction or consequential reduction, where it appears to the authority which allowed a benefit that a question arises whether the conditions for entitlement to the benefit are or were fulfilled or whether the award ought to be revised or whether an appeal ought to be brought against the award;
- (n) for withholding in prescribed circumstances any payment or right to make a reduction or consequential reduction, and for subsequently making in prescribed circumstances any withheld payment or restoring in prescribed circumstances any right to make a reduction or consequential reduction;
- (o) in the case of any benefit (or part) which takes the form of a payment, for payment or distribution to or among persons claiming to be entitled on the death of any person, and for dispensing with strict proof of their title;
- [in the case of benefit (or part) which takes the form of a payment, for the
- ^{F34}(oo) circumstances and manner in which payment may be made to one person on behalf or another for any purpose, which may be to discharge, in whole or in part, an obligation of the person entitled to the benefit or any other person;]

Status: Point in time view as at 06/04/2009.

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- (p) for making a payment on account of a benefit, or conferring a right to make a reduction or consequential reduction on account, where no claim has been made and it is impracticable for one to be made immediately;
 - (q) for making a payment on account of a benefit, or conferring a right to make a reduction or consequential reduction on account, where a claim has been made but it is impracticable for the claim or an appeal, reference, review or application relating to it to be determined immediately;
 - (r) for making a payment on account of a benefit, or conferring a right to make a reduction or consequential reduction on account, where an award has been made but it is impracticable to institute the benefit immediately;
 - (s) generally as to administration.
- (2) Regulations under this section may include provision that prescribed provisions shall apply instead of prescribed provisions of the 1987 Act or the 1988 Act, or that prescribed provisions of the 1987 Act or the 1988 Act shall not apply or shall apply subject to prescribed amendments or adaptations.
- (3) References in subsection (2) above to the 1987 Act or the 1988 Act include references to regulations made under the Act concerned.

Textual Amendments

- F32** Sections 51A, 51B inserted (29.7.1988) by [Local Government Finance Act 1988 \(c. 41\)](#), [Sch. 10](#), para. 8
- F33** S. 51A(kk) inserted (21.7.1989) by [Social Security Act 1989 \(c. 24\)](#), [Sch. 8 para. 9\(6\)\(a\)](#)
- F34** S. 51A(oo) inserted (21.7.1989) by [Social Security Act 1989 \(c. 24\)](#), [Sch. 8 para. 9\(6\)\(b\)](#)

Modifications etc. (not altering text)

- C8** Pt. VI (ss. 51-65) power to amend conferred (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#), ss. 5, 7(2), [Sch. 3 Pt. II para. 22\(3\)\(4\)\(b\)](#), (with savings in Sch. 3).

^{F35} 51B Administration of benefits: general.

- (1) Regulations may provide for a claim for one relevant benefit to be treated, either in the alternative or in addition, as a claim for any other relevant benefit that may be prescribed.
- (2) Regulations may provide for treating a payment made or right conferred by virtue of regulations under section 51(1)(t) above, or of regulations under section 51A(I)(p) to (r) above, as made or conferred on account of any relevant benefit that is subsequently awarded or paid.
- (3) For the purposes of subsections (1) and (2) above relevant benefits are—
- (a) any benefit to which section 51 above applies, and
 - (b) any community charge benefit.

Textual Amendments

- F32** Sections 51A, 51B inserted (29.7.1988) by [Local Government Finance Act 1988 \(c. 41\)](#), [Sch. 10](#), para. 8
- F35** Sections 51A, 51B inserted (29.7.1988) by [Local Government Finance Act 1988 \(c. 41\)](#), [Sch. 10](#), para. 8

Status: Point in time view as at 06/04/2009.

Changes to legislation: Social Security Act 1986 is up to date with all changes known to be in force on or before 10 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Modifications etc. (not altering text)

- C9** Pt. VI (ss. 51-65) power to amend conferred (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#), ss. 5, 7(2), **Sch. 3 Pt. II para. 22(3)(4)(b)**, (with savings in Sch. 3).

51C **F36**

Textual Amendments

- F32** Sections 51A, 51B inserted (29.7.1988) by [Local Government Finance Act 1988 \(c. 41\)](#), **Sch. 10**, para. 8
- F35** Sections 51A, 51B inserted (29.7.1988) by [Local Government Finance Act 1988 \(c. 41\)](#), **Sch. 10**, para. 8
- F36** S. 51C repealed (1.7.1992) by [Social Security \(Mortgage Interest Payments\) Act 1992 \(c. 33\)](#), **s. 1(2)**

52 Adjudication.

- F37**(1)
- F37**(2)
- (3) **F38**

Textual Amendments

- F32** Sections 51A, 51B inserted (29.7.1988) by [Local Government Finance Act 1988 \(c. 41\)](#), **Sch. 10**, para. 8
- F35** Sections 51A, 51B inserted (29.7.1988) by [Local Government Finance Act 1988 \(c. 41\)](#), **Sch. 10**, para. 8
- F37** S. 52(1)(2) repealed (7.2.1994) by [1993 c. 48, s. 188](#), **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**
- F38** The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); ss. 56(2)(b)(3)(b)(4)–(4B), 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); ss. 62–69, 70(1), 73, 74, 79(3)(4); words in s. 80(1); ss. 81, 83(2)(3)(b)–(e); words in s. 83(5); words in s. 84(1); ss. 84(3), 85(1)(a)–(c)(f)(3)(c)(d)(4); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); **Sch. 3** except para. 17; **Sch.4**; **Sch. 5** paras 2–20 and Pt. II paras (b)(c); **Sch. 6**; **Sch. 7**; **Sch. 8** paras 1–3, 5–7; **Sch. 10** paras 10, 34, 40, 48, 54, 62–67, 68(2), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103(a)(b), 104–107, 108(a)

Modifications etc. (not altering text)

- C10** Pt. VI (ss. 51-65) power to amend conferred (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#), ss. 5, 7(2), **Sch. 3 Pt. II para. 22(3)(4)(b)**, (with savings in Sch. 3).

53 **F39**

Textual Amendments

- F32** Sections 51A, 51B inserted (29.7.1988) by [Local Government Finance Act 1988 \(c. 41\)](#), **Sch. 10**, para. 8

Status: Point in time view as at 06/04/2009.

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F35 Sections 51A, 51B inserted (29.7.1988) by Local Government Finance Act 1988 (c. 41), **Sch. 10**, para. 8

F39 The following sections and schedules are repealed (1.7.1992) by the Social Security (Consequential Provisions) Act 1992 (c. 6) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); ss. 56(2)(b)(3)(b)(4)–(4B), 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); ss. 62–69, 70(1), 73, 74, 79(3)(4); words in s. 80(1); ss. 81, 83(2)(3)(b)–(e); words in s. 83(5); words in s. 84(1); ss. 84(3), 85(1)(a)–(c)(f)(3)(c)(d)(4); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); Sch. 3 except para. 17; Sch.4; Sch. 5 paras 2–20 and Pt. II paras (b) (c); Sch. 6; Sch. 7; Sch. 8 paras 1–3, 5–7; Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68(2), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103(a)(b), 104–107, 108(a)

54 Breach of regulations.

(1) Regulations under any of the benefit Acts may provide for contravention of, or failure to comply with, any provision contained in regulations made under that Act to be an offence under that Act and for the recovery, on summary conviction of any such offence, of penalties not exceeding—

- (a) for any one offence, level 3 on the standard scale; or
- (b) for an offence of continuing any such contravention or failure after conviction, £40 for each day on which it is so continued.

(2) **F40**

Textual Amendments

F32 Sections 51A, 51B inserted (29.7.1988) by Local Government Finance Act 1988 (c. 41), **Sch. 10**, para. 8

F35 Sections 51A, 51B inserted (29.7.1988) by Local Government Finance Act 1988 (c. 41), **Sch. 10**, para. 8

F40 The following sections and schedules are repealed (1.7.1992) by the Social Security (Consequential Provisions) Act 1992 (c. 6) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); ss. 56(2)(b)(3)(b)(4)–(4B), 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); ss. 62–69, 70(1), 73, 74, 79(3)(4); words in s. 80(1); ss. 81, 83(2)(3)(b)–(e); words in s. 83(5); words in s. 84(1); ss. 84(3), 85(1)(a)–(c)(f)(3)(c)(d)(4); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); Sch. 3 except para. 17; Sch.4; Sch. 5 paras 2–20 and Pt. II paras (b) (c); Sch. 6; Sch. 7; Sch. 8 paras 1–3, 5–7; Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68(2), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103(a)(b), 104–107, 108(a)

Modifications etc. (not altering text)

C11 Pt. VI (ss. 51-65) power to amend conferred (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 5, 7(2), **Sch. 3 Pt. II para. 22(3)(4)(b)**, (with savings in Sch. 3).

55 **F41**

Textual Amendments

F32 Sections 51A, 51B inserted (29.7.1988) by Local Government Finance Act 1988 (c. 41), **Sch. 10**, para. 8

F35 Sections 51A, 51B inserted (29.7.1988) by Local Government Finance Act 1988 (c. 41), **Sch. 10**, para. 8

Status: Point in time view as at 06/04/2009.

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F41 The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); ss. 56(2)(b)(3)(b)(4)–(4B), 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); ss. 62–69, 70(1), 73, 74, 79(3)(4); words in s. 80(1); ss. 81, 83(2)(3)(b)–(e); words in s. 83(5); words in s. 84(1); ss. 84(3), 85(1)(a)–(c)(f)(3)(c)(d)(4); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); Sch. 3 except para. 17; Sch.4; Sch. 5 paras 2–20 and Pt. II paras (b)(c); Sch. 6; Sch. 7; Sch. 8 paras 1–3, 5–7; Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68(2), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103(a)(b), 104–107, 108(a)

56 Legal proceedings.

- (1) Any person authorised by the Secretary of State in that behalf may conduct any proceedings under the benefit Acts before a magistrates’ court although not a barrister or solicitor.
- (2) Notwithstanding anything in any Act—
 - (a) proceedings for an offence under the benefit Acts . . . ^{F42} may be begun at any time within the period of three months from the date on which evidence, sufficient in the opinion of the Secretary of State to justify a prosecution for the offence, comes to his knowledge or within a period of twelve months from the commission of the offence, whichever period last expires; . . . ^{F42}
 - (b) . . . ^{F42}
- (3) For the purposes of subsection (2) above—
 - (a) a certificate purporting to be signed by or on behalf of the Secretary of State as to the date on which such evidence as is mentioned in paragraph (a) of that subsection came to his knowledge shall be conclusive evidence of that date; . . . ^{F42}
 - (b) . . . ^{F42}
- (4) . . . ^{F42}
- (5) In the application of this section to Scotland, the following provisions shall have effect in substitution for subsections (1) to [^{F43}(4A)] above—
 - (a) proceedings for an offence under the benefit Acts may, notwithstanding anything in [^{F44}section 136 of the Criminal Procedure (Scotland) Act 1995], be commenced at any time within the period of three months from the date on which evidence sufficient in the opinion of the Lord Advocate to justify proceedings comes to his knowledge, or within the period of twelve months from the commission of the offence, whichever period last expires;
 - (b) for the purposes of this subsection—
 - (i) a certificate purporting to be signed by or on behalf of the Lord Advocate as to the date on which such evidence as is mentioned above came to his knowledge shall be conclusive evidence thereof;
 - (ii) subsection (3) of [^{F45}section 136 of the said Act of 1995] (date of commencement of proceedings) shall have effect as it has effect for the purposes of that section.

Textual Amendments

F42 The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51,

Status: Point in time view as at 06/04/2009.

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52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); ss. 56(2)(b)(3)(b)(4)–(4B), 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); ss. 62–69, 70(1), 73, 74, 79(3)(4); words in s. 80(1); ss. 81, 83(2)(3)(b)–(e); words in s. 83(5); words in s. 84(1); ss. 84(3), 85(1)(a)–(c)(f)(3)(c)(d)(4); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); Sch. 3 except para. 17; Sch. 4; Sch. 5 paras 2–20 and Pt. II paras (b)(c); Sch. 6; Sch. 7; Sch. 8 paras 1–3, 5–7; Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68(2), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103(a)(b), 104–107, 108(a)

F43 Reference substituted (29.7.1988) by Local Government Finance Act 1988 (c. 41), **Sch. 10 para. 9(5)**

F44 Words in s. 56(5)(a) substituted (1.4.1996) by 1995 c. 40, ss. 5, 7(2), **Sch. 4 para. 64(a)**

F45 Words in s. 56(5)(b)(ii) substituted (1.4.1996) by 1995 c. 40, ss. 5, 7(2), **Sch. 4 para. 64(b)**

Modifications etc. (not altering text)

C12 Pt. VI (ss. 51–65) power to amend conferred (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 5, 7(2), **Sch. 3 Pt. II para. 22(3)(4)(b)**, (with savings in Sch. 3).

57 Offences by bodies corporate.

(1) Where an offence under any of the benefit Acts which has been committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, a director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, he, as well as the body corporate, shall be guilty of that offence and be liable to be proceeded against accordingly.

(2) Where the affairs of a body corporate are managed by its members, subsection (1) above applies in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.

Textual Amendments

F32 Sections 51A, 51B inserted (29.7.1988) by Local Government Finance Act 1988 (c. 41), **Sch. 10**, para. 8

F35 Sections 51A, 51B inserted (29.7.1988) by Local Government Finance Act 1988 (c. 41), **Sch. 10**, para. 8

Modifications etc. (not altering text)

C13 Pt. VI (ss. 51–65) power to amend conferred (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 5, 7(2), **Sch. 3 Pt. II para. 22(3)(4)(b)**, (with savings in Sch. 3).

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F46

Textual Amendments

F32 Sections 51A, 51B inserted (29.7.1988) by Local Government Finance Act 1988 (c. 41), **Sch. 10**, para. 8

F35 Sections 51A, 51B inserted (29.7.1988) by Local Government Finance Act 1988 (c. 41), **Sch. 10**, para. 8

F46 The following sections and schedules are repealed (1.7.1992) by the Social Security (Consequential Provisions) Act 1992 (c. 6) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); ss. 56(2)(b)(3)(b)(4)–(4B), 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); ss. 62–69, 70(1), 73, 74, 79(3)(4); words in s. 80(1); ss. 81, 83(2)(3)

Status: Point in time view as at 06/04/2009.

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(b)–(e); words in s. 83(5); words in s. 84(1); ss. 84(3), 85(1)(a)–(c)(f)(3)(c)(d)(4); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); Sch. 3 except para. 17; Sch.4; Sch. 5 paras 2–20 and Pt. II paras (b) (c); Sch. 6; Sch. 7; Sch. 8 paras 1–3, 5–7; Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68(2), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103(a)(b), 104–107, 108(a)

F47 **59**

Textual Amendments

- F32** Sections 51A, 51B inserted (29.7.1988) by Local Government Finance Act 1988 (c. 41), **Sch. 10**, para. 8
- F35** Sections 51A, 51B inserted (29.7.1988) by Local Government Finance Act 1988 (c. 41), **Sch. 10**, para. 8
- F47** Ss. 59-61 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

F48 **60]]**

Textual Amendments

- F32** Sections 51A, 51B inserted (29.7.1988) by Local Government Finance Act 1988 (c. 41), **Sch. 10**, para. 8
- F35** Sections 51A, 51B inserted (29.7.1988) by Local Government Finance Act 1988 (c. 41), **Sch. 10**, para. 8
- F48** Ss. 59-61 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

Subordinate legislation

F49 **61**

Textual Amendments

- F49** Ss. 59-61 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

62 F50

Textual Amendments

- F50** The following sections and schedules are repealed (1.7.1992) by the **Social Security (Consequential Provisions) Act 1992 (c. 6)** on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); ss. 56(2)(b)(3)(b)(4)–(4B), 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); ss. 62–69, 70(1), 73, 74, 79(3)(4); words in s. 80(1); ss. 81, 83(2)(3) (b)–(e); words in s. 83(5); words in s. 84(1); ss. 84(3), 85(1)(a)–(c)(f)(3)(c)(d)(4); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); Sch. 3 except para. 17; Sch.4; Sch. 5 paras 2–20 and Pt. II paras (b)

Status: Point in time view as at 06/04/2009.

Changes to legislation: Social Security Act 1986 is up to date with all changes known to be in force on or before 10 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

(c); Sch. 6; Sch. 7; Sch. 8 paras 1–3, 5–7; Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68(2), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103(a)(b), 104–107, 108(a)

General provisions as to operation of social security

Textual Amendments

F51 The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); [ss. 56\(2\)\(b\)\(3\)\(b\)\(4\)–\(4B\)](#), 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); [ss. 62–69, 70\(1\), 73, 74, 79\(3\)\(4\)](#); words in s. 80(1); [ss. 81, 83\(2\)\(3\)\(b\)–\(e\)](#); words in s. 83(5); words in s. 84(1); [ss. 84\(3\), 85\(1\)\(a\)–\(c\)\(f\)\(3\)\(c\)\(d\)\(4\)](#); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); [Sch. 3](#) except para. 17; [Sch. 4](#); [Sch. 5 paras 2–20](#) and Pt. II paras (b) (c); [Sch. 6](#); [Sch. 7](#); [Sch. 8 paras 1–3, 5–7](#); [Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68\(2\), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103\(a\)\(b\), 104–107, 108\(a\)](#) (and s. 63 is subject to amendments by S.I. 1995/559, [arts.1\(d\)](#), 4(1)(4)(c), 6(1)–(4); S.I. 1998/470, [arts. 1\(d\)](#), 4(4)(c))

PART VII

MISCELLANEOUS, GENERAL AND SUPPLEMENTARY

Miscellaneous

66— **F52**
69.

Textual Amendments

F52 The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); [ss. 56\(2\)\(b\)\(3\)\(b\)\(4\)–\(4B\)](#), 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); [ss. 62–69, 70\(1\), 73, 74, 79\(3\)\(4\)](#); words in s. 80(1); [ss. 81, 83\(2\)\(3\)\(b\)–\(e\)](#); words in s. 83(5); words in s. 84(1); [ss. 84\(3\), 85\(1\)\(a\)–\(c\)\(f\)\(3\)\(c\)\(d\)\(4\)](#); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); [Sch. 3](#) except para. 17; [Sch.4](#); [Sch. 5 paras 2–20](#) and Pt. II paras (b) (c); [Sch. 6](#); [Sch. 7](#); [Sch. 8 paras 1–3, 5–7](#); [Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68\(2\), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103\(a\)\(b\), 104–107, 108\(a\)](#)

70 **Child benefit in respect of children educated otherwise than at educational establishments.**

- (1) **F53**
- (2) Regulations purporting to be made under section 24(1) of that Act and made before the passing of this Act shall be treated as validly made.

Status: Point in time view as at 06/04/2009.

Changes to legislation: Social Security Act 1986 is up to date with all changes known to be in force on or before 10 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

F53 The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); [ss. 56\(2\)\(b\)\(3\)\(b\)\(4\)–\(4B\)](#), 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); [ss. 62–69, 70\(1\), 73, 74, 79\(3\)\(4\)](#); words in s. 80(1); [ss. 81, 83\(2\)\(3\)\(b\)–\(e\)](#); words in s. 83(5); words in s. 84(1); [ss. 84\(3\), 85\(1\)\(a\)–\(c\)\(f\)\(3\)\(c\)\(d\)\(4\)](#); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); [Sch. 3](#) except para. 17; [Sch.4](#); [Sch. 5 paras 2–20](#) and Pt. II paras (b) (c); [Sch. 6](#); [Sch. 7](#); [Sch. 8 paras 1–3, 5–7](#); [Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68\(2\), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103\(a\)\(b\), 104–107, 108\(a\)](#)

Modifications etc. (not altering text)

C14 [S. 70\(2\)](#): [Child Benefit Act 1975 \(c. 61\)](#)

71, 72. ^{F54}

Textual Amendments

F54 [Ss. 71, 72](#) repealed (6.4.1992) by [Disability Living Allowance and Disability Working Allowance Act 1991 \(c. 21, SIF 113:1\)](#), s. 10, [Sch. 4](#)

73, 74. ^{F55}

Textual Amendments

F55 The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); [ss. 56\(2\)\(b\)\(3\)\(b\)\(4\)–\(4B\)](#), 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); [ss. 62–69, 70\(1\), 73, 74, 79\(3\)\(4\)](#); words in s. 80(1); [ss. 81, 83\(2\)\(3\)\(b\)–\(e\)](#); words in s. 83(5); words in s. 84(1); [ss. 84\(3\), 85\(1\)\(a\)–\(c\)\(f\)\(3\)\(c\)\(d\)\(4\)](#); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); [Sch. 3](#) except para. 17; [Sch.4](#); [Sch. 5 paras 2–20](#) and Pt. II paras (b) (c); [Sch. 6](#); [Sch. 7](#); [Sch. 8 paras 1–3, 5–7](#); [Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68\(2\), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103\(a\)\(b\), 104–107, 108\(a\)](#)

^{F56}**75**

Textual Amendments

F56 [S. 75](#) repealed (7.2.1994) by [1993 c. 48, s. 188, Sch. 5 Pt.I](#); [S.I. 1994/86, art. 2](#)

76 Amendments relating to forfeiture of benefits.

(1) The ^{M2}Forfeiture Act 1982 shall be amended as follows.

Status: Point in time view as at 06/04/2009.

Changes to legislation: Social Security Act 1986 is up to date with all changes known to be in force on or before 10 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (2) The following subsections shall be inserted after subsection (1) of section 4 (Social Security Commissioner to determine whether forfeiture rule applies to social security benefits)—
- “(1A) Where a Commissioner determines that the forfeiture rule has precluded a person (in this section referred to as “the offender”) who has unlawfully killed another from receiving the whole or part of any such benefit or advantage, the Commissioner may make a decision under this subsection modifying the effect of that rule and may do so whether the unlawful killing occurred before or after the coming into force of this subsection.
- (1B) The Commissioner shall not make a decision under subsection (1A) above modifying the effect of the forfeiture rule in any case unless he is satisfied that, having regard to the conduct of the offender and of the deceased and to such other circumstances as appear to the Commissioner to be material, the justice of the case requires the effect of the rule to be so modified in that case.
- (1C) Subject to subsection (1D) below, a decision under subsection (1A) above may modify the effect of the forfeiture rule in either or both of the following ways—
- (a) so that it applies only in respect of a specified proportion of the benefit or advantage;
- (b) so that it applies in respect of the benefit or advantage only for a specified period of time.
- (1D) Such a decision may not modify the effect of the forfeiture rule so as to allow any person to receive the whole or any part of a benefit or advantage in respect of any period before the commencement of this subsection.
- (1E) If the Commissioner thinks it expedient to do so, he may direct that his decision shall apply to any future claim for a benefit or advantage under a relevant enactment, on which a question such as is mentioned in subsection (1) above arises by reason of the same unlawful killing.
- (1F) It is immaterial for the purposes of subsection (1E) above whether the claim is in respect of the same or a different benefit or advantage.
- (1G) For the purpose of obtaining a decision whether the forfeiture rule should be modified the Secretary of State may refer to a Commissioner for review any determination of a question such as is mentioned in subsection (1) above that was made before the commencement of subsections (1A) to (1F) above (whether by a Commissioner or not) and shall do so if the offender requests him to refer such a determination.
- (1H) Subsections (1A) to (1F) above shall have effect on a reference under subsection (1G) above as if in subsection (1A) the words “it has been determined” were substituted for the words “a Commissioner determines”.”.
- (3) In subsection (2) of that section, after the words “that subsection” there shall be inserted the words “or any decision under subsection (1A) above”.
- (4) In section 5 (exclusion of murderers) after the word “Act”, in the second place where it occurs, there shall be inserted the words “or in any decision made under section 4(1A) of this Act”.

Status: Point in time view as at 06/04/2009.

Changes to legislation: Social Security Act 1986 is up to date with all changes known to be in force on or before 10 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Modifications etc. (not altering text)

C15 The text of ss. 76, 77 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 1982 c. 34.

[^{F57}77 **Refreshments for school pupils.**

(1) The words “and may do so either on the premises or at any place other than the school premises where education is being provided” shall be inserted—

- (a) after “refreshment” in subsection (1)(a) of section 22 of the ^{M3}Education Act 1980; and
- (b) after “management” in subsection (1)(a) of section 53 of the ^{M4}Education (Scotland) Act 1980.

(2) The following subsections shall be substituted for subsections (2) and (3) of each of those sections—

“(2) Subject to subsection (3) below, an authority must charge for anything provided by them under subsection (1)(a) above and must charge every pupil the same price for the same quantity of the same item.

(3) In relation to a pupil whose parents are in receipt of income support or who is himself in receipt of it an authority shall so exercise the power conferred by subsection (1)(a) above as to ensure that such provision is made for him in the middle of the day as appears to the authority to be requisite and shall make that provision for him free of charge.”].

Textual Amendments

F57 S. 77 repealed for certain purposes (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), Sch. 38 Pt. I, **Sch. 39**

Modifications etc. (not altering text)

C16 The text of ss. 76, 77 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 1980 c. 20

M4 1980 c. 44.

Status: Point in time view as at 06/04/2009.

Changes to legislation: Social Security Act 1986 is up to date with all changes known to be in force on or before 10 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

F58 Ss. 78-80 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

General

F59⁷⁹

Textual Amendments

F59 Ss. 78-80 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

F60⁸⁰

Textual Amendments

F60 Ss. 78-80 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

Northern Ireland

81 **F61**

Textual Amendments

F61 The following sections and schedules are repealed (1.7.1992) by the **Social Security (Consequential Provisions) Act 1992 (c. 6)** on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); **ss. 56(2)(b)(3)(b)(4)–(4B)**, 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); **ss. 62–69, 70(1), 73, 74, 79(3)(4)**; words in s. 80(1); **ss. 81, 83(2)(3)(b)–(e)**; words in s. 83(5); words in s. 84(1); **ss. 84(3), 85(1)(a)–(c)(f)(3)(c)(d)(4)**; words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); **Sch. 3** except para. 17; **Sch.4**; **Sch. 5 paras 2–20** and Pt. II paras (b) (c); **Sch. 6**; **Sch. 7**; **Sch. 8 paras 1–3, 5–7**; **Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68(2), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103(a)(b), 104–107, 108(a)**

82 Amendments of enactments relating to social security in Northern Ireland.

The enactments relating to social security in Northern Ireland specified in Schedule 9 to this Act shall have effect subject to the amendments there specified.

Supplementary

83 Orders and regulations (general provisions).

(1) [^{F62}Section 61B(1) to (4) of the Social Security Pensions Act 1975] (extent of powers) shall apply to powers conferred by this Act to make regulations or orders as they apply

Status: Point in time view as at 06/04/2009.

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to any power to make regulations or orders conferred by that Act but as if for references to that Act there were substituted references to this Act.

- (2) ^{F63}
- ^{F64}(3)
- [^{F65}(4) A statutory instrument—
- (a) which contains (whether alone or with other provisions) orders or regulations under this Act, other than orders under section 88 below, and
- (b) which is not subject to any requirement that a draft of the instrument be laid before and approved by a resolution of each House of Parliament,
- shall be subject to annulment in pursuance of a resolution of either House of Parliament.]
- (5) An order under section . . . ^{F63} 85 below shall not be made without the consent of the Treasury.
- (6) A power conferred by this Act to make any regulations or order, where the power is not expressed to be exercisable with the consent of the Treasury, shall if the Treasury so direct be exercisable only in conjunction with them.

Textual Amendments

- F62** Words substituted (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\), Sch. 2, para. 84](#)
- F63** The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); [ss. 56\(2\)\(b\)\(3\)\(b\)\(4\)–\(4B\), 58](#); words in s. 61(1)(3)–(5); [s. 61\(7\)–\(9\)](#); words in s. 61(10); [ss. 62–69, 70\(1\), 73, 74, 79\(3\)\(4\)](#); words in s. 80(1); [ss. 81, 83\(2\)\(3\)\(b\)–\(e\)](#); words in s. 83(5); words in s. 84(1); [ss. 84\(3\), 85\(1\)\(a\)–\(c\)\(f\)\(3\)\(c\)\(d\)\(4\)](#); words in s. 85(5); [s. 85\(7\)](#); words in s. 85(8)(9)–(12); [Sch. 3](#) except para. 17; [Sch.4](#); [Sch. 5 paras 2–20](#) and Pt. II paras (b) (c); [Sch. 6](#); [Sch. 7](#); [Sch. 8 paras 1–3, 5–7](#); [Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68\(2\), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103\(a\)\(b\), 104–107, 108\(a\)](#)
- F64** [S. 83\(3\)](#) repealed (7.2.1994) by [1993 c. 48, s. 188, Sch. 5 Pt. I](#); [S.I. 1994/86, art. 2](#)
- F65** [S. 83\(4\)](#) substituted (13.7.1990) by [Social Security Act 1990 \(c. 27\), Sch. 6, para. 8\(9\)](#)

84 General interpretation.

(1) In this Act, unless the context otherwise requires,—

..... ^{F66};
^{F67}

“the benefit Acts” means—

- (a) the ^{M5}Social Security Act 1973;
- (b) [^{F68}the Social Security Acts 1975 to 1991];
- (c) the ^{M6}Industrial Injuries and Diseases (Old Cases) Act 1975;
- (d) the ^{M7}Child Benefit Act 1975;

^{F67}

..... ^{F66};
^{F67}

^{F67}

Status: Point in time view as at 06/04/2009.

Changes to legislation: Social Security Act 1986 is up to date with all changes known to be in force on or before 10 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- F67 . . . —
- (a) . . .
- (b) . . . —
 - (i) . . .
 - (ii) . . .

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“Housing Revenue Account rebate”, in relation to a local authority in England and Wales, means a rent rebate for a tenant of a Housing Revenue Account dwelling of that authority;

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 F67 ,
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 ,
 F66,
 ,

“modifications” includes additions, omissions and amendments, and related expressions shall be construed accordingly;

F67 F66,
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 F67

“prescribed” means specified in or determined in accordance with regulations;

. F66,
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 F66,
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“regulations” means regulations made by the Secretary of State under this Act;

. F69,
 F67 ,
 F67]

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F70 (2)

(3) F66

(4) In this Act—

- (a) references to the United Kingdom include references to the territorial waters of the United Kingdom; and
- (b) references to Great Britain include references to the territorial waters of the United Kingdom adjacent to Great Britain.

Status: Point in time view as at 06/04/2009.

Changes to legislation: Social Security Act 1986 is up to date with all changes known to be in force on or before 10 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

- F66** The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); [ss. 56\(2\)\(b\)\(3\)\(b\)\(4\)–\(4B\)](#), 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); [ss. 62–69, 70\(1\), 73, 74, 79\(3\)\(4\)](#); words in s. 80(1); [ss. 81, 83\(2\)\(3\)\(b\)–\(e\)](#); words in s. 83(5); words in s. 84(1); [ss. 84\(3\), 85\(1\)\(a\)–\(c\)\(f\)\(3\)\(c\)\(d\)\(4\)](#); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); [Sch. 3](#) except para. 17; [Sch.4](#); [Sch. 5 paras 2–20](#) and Pt. II paras (b) (c); [Sch. 6](#); [Sch. 7](#); [Sch. 8 paras 1–3, 5–7](#); [Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68\(2\), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103\(a\)\(b\), 104–107, 108\(a\)](#)
- F67** Definitions in s. 84(1) repealed (7.2.1994) by 1993 c. 48, s. 188, [Sch. 5 Pt.I](#); S.I. 1994/86, [art. 2](#)
- F68** Words in s. 84(1) substituted (12.2.1991) by [Statutory Sick Pay Act 1991 \(c. 3, SIF 113:1\)](#), [s. 3\(1\)\(e\)](#)
- F69** Definition repealed (11.4.1988) by [Social Security Act 1988 \(c. 7\)](#), [Sch. 5](#)
- F70** [S. 84\(2\)](#) repealed (7.2.1994) by 1993 c. 48, s. 188, [Sch. 5 Pt.I](#); S.I. 1994/86, [art. 2](#)

Marginal Citations

- M5** 1973 c. 38.
M6 1975 c. 16.
M7 1975 c. 61.

85 Financial provision.

- (1) There shall be paid out of money provided by Parliament—
- (a) F71
 - (d) any sums falling to be paid by the Secretary of State under or by virtue of this Act by way of travelling expenses;
 - (e) any other expenses of the Secretary of State attributable to this Act;
 - (f) F71
 - (g) any increase attributable to this Act in the sums payable out of money provided by Parliament under any other Act.
- (2) Any increase attributable to this Act in the sums to be charged on and paid out of the Consolidated Fund under any other Act shall be charged on and paid out of that Fund.
- ^{F72}(3)
- (4) F71
- (5) Subject to subsections (6) . . . ^{F71}below, so far as it relates to payments out of money provided by Parliament, any sum recovered by the Secretary of State under or by virtue of this Act shall be paid into the Consolidated Fund.
- (6) So far as any such sum relates to a payment out of the National Insurance Fund, it shall be paid into that Fund.
- (7) F71
- ^{F73}(8)
- ^{F73}(8A)
- (9) F71
- (13) In this section “Act” includes an Act of the Parliament of Northern Ireland.

Status: Point in time view as at 06/04/2009.

Changes to legislation: Social Security Act 1986 is up to date with all changes known to be in force on or before 10 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

- F71** The following sections and schedules are repealed (1.7.1992) by the **Social Security (Consequential Provisions) Act 1992 (c. 6)** on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); **ss. 56(2)(b)(3)(b)(4)–(4B), 58**; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); **ss. 62–69, 70(1), 73, 74, 79(3)(4)**; words in s. 80(1); **ss. 81, 83(2)(3)(b)–(e)**; words in s. 83(5); words in s. 84(1); **ss. 84(3), 85(1)(a)–(c)(f)(3)(c)(d)(4)**; words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); **Sch. 3** except para. 17; **Sch. 4**; **Sch. 5 paras 2–20** and Pt. II paras (b) (c); **Sch. 6**; **Sch. 7**; **Sch. 8 paras 1–3, 5–7**; **Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68(2), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103(a)(b), 104–107, 108(a)**
- F72** S. 85(3) repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2** and subject to an amendment (25.2.1999 for specified purposes and otherwise 1.4.1999) by 1999 c. 2, ss. 1(1), 28(2)(a), **Sch. 1 para. 2(a)**; S.I. 1999/527, **art. 2(b)**, **Sch. 2**
- F73** S. 85(8)(8A) repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**

Modifications etc. (not altering text)

- C17** S. 85(5)(6) amended (25.2.1999 for specified purposes and otherwise 1.4.1999) by 1999 c. 2, ss. 1(1), 28(2)(a), **Sch. 1 para. 2(b)**; S.I. 1999/527, **art. 2(b)**, **Sch. 2**

86 Minor and consequential amendments and repeals.

- (1) The enactments mentioned in Schedule 10 to this Act shall have effect with the amendments there specified.
- (2) The enactments mentioned in Schedule 11 to this Act (which include enactments already obsolete or unnecessary) are repealed to the extent specified in the third column of that Schedule.

87 Extent.

- (1) The following provisions of this Act extend to Northern Ireland—
 - ^{F74}(a)
 - (b) section 61 above;
 - (c) section 66 above, so far as relating to paragraph 3(6) of Schedule 6;
 - (d) section 81 above;
 - (e) sections 83 to 86 above;
 - (f) this section;
 - (g) sections 88 to 90 below.
- (2) Section 82 above (with Schedule 9) extends to Northern Ireland only.
- (3) Sections 25 and 30(6) and (10) above do not extend to Scotland.
- (4) Where any enactment repealed or amended by this Act extends to any part of the United Kingdom, the repeal or amendment extends to that part.
- (5) Except as provided by this section, this Act extends to England and Wales and Scotland, but not to Northern Ireland.

Status: Point in time view as at 06/04/2009.

Changes to legislation: Social Security Act 1986 is up to date with all changes known to be in force on or before 10 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

F74 S. 87(1)(a) repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

88 Commencement.

- (1) Subject to the following provisions of this section, the provisions of this Act shall come into force on such day as the Secretary of State may by order made by statutory instrument appoint, and different days may be appointed in pursuance of this section for different provisions or different purposes of the same provision.
- (2) In relation to section 52 above (including Schedule 5) and section 82 above (including Schedule 9) for the reference to the Secretary of State in subsection (1) above there shall be substituted a reference to the Lord Chancellor and the Secretary of State, acting jointly.
- (3) Without prejudice to the generality of subsection (1) above, different days may be appointed under that subsection for the purposes of Part III of this Act in relation to different descriptions of persons, and those descriptions of persons may be determined by any criteria that appear to the Secretary of State to be appropriate.
- (4) If an order under subsection (1) above brings paragraph 8 of Schedule 3 to this Act into force on the same day as section 36 above, the former shall be deemed to have come into force immediately before the latter.
- (5) The following provisions of this Act—
 - section 30(4), (8), (9) and (10);
 - section 37;
 - section 38(4);
 - section 45;
 - section 61;
 - sections 63 and 64;
 - section 70;
 - section 71(4) and (5);
 - section 72;
 - section 74;
 - section 76;
 - section 81;
 - section 83 to 85;
 - section 86(1) so far as relating to paragraphs 2, 22, 23(3), 26(1) and (2), 27, 30(b), (c) and (d)(ii), 82, 86, 94(a), 98, 99, 106 and 107 of Schedule 10;
 - section 86(2) so far as relating—
 - (a) to section 37(3) of the ^{M8}Social Security Act 1975 and the reference to paragraph (b) of that subsection in section 22(2) of the ^{M9}Social Security (Miscellaneous Provisions) Act 1977;
 - (b) to section 141(2) of the Social Security Act 1975;
 - (c) to section 52D(2) and (3) of the ^{M10}Social Security Pensions Act 1975 and paragraph 12 of Schedule 1A to that Act;
 - (d) to section 10 of the ^{M11}Social Security Act 1980; and

Status: Point in time view as at 06/04/2009.

Changes to legislation: Social Security Act 1986 is up to date with all changes known to be in force on or before 10 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (e) to section 29 of the ^{M12}Social Security and Housing Benefits Act 1982;
section 87;
this section; and
sections 89 and 90;
shall come into force on the day this Act is passed.

Modifications etc. (not altering text)

C18 Power under s. 88 fully exercised by 1986/1609, 1986/1719, 1986/1958, 1986/1959, 1987/354, 1987/543, 1987/1096, 1987/1853, 1988/567

Marginal Citations

M8 1975 c. 14.
M9 1977 c. 5.
M10 1975 c. 60.
M11 1980 c. 30.
M12 1982 c. 24.

89 Transitional.

- (1) Regulations may make such transitional and consequential provision (including provision modifying any enactment contained in this or any other Act) or saving as the Secretary of State considers necessary or expedient in preparation for or in connection with the coming into force of any provision of this Act or the operation of any enactment which is repealed or amended by a provision of this Act during any period when the repeal or amendment is not wholly in force.

[^{F75}(1A) Without prejudice to any other powers conferred on him, the Secretary of State—

- (a) may, for the purpose of making provision with respect to persons falling within subsection (1B) below, modify or revoke any regulations made under this section if he considers it necessary or expedient to do so in consequence of, or otherwise in connection with, provisions of Acts, schemes, arrangements or other instruments coming into force after the passing of this Act; and
(b) may, for the purpose of consolidation, revoke and re-enact, with any modifications which he considers necessary or desirable, any regulations under this section.

(1B) The persons referred to in subsection (1A)(a) above are any persons—

- (a) to whom regulations under subsection (1) above apply; or
(b) to whom regulations made under Part 11 of this Act relating to income support applied at any time before the passing of the Social Security Act 1989.]

(2) The reference to regulations in subsection (1) above includes a reference—

- (a) to regulations made by the Lord Chancellor; and
(b) to regulations made by the Lord Chancellor and the Secretary of State, acting jointly.

Textual Amendments

F75 S. 89(1A) and (1B) inserted (21.7.1989) by Social Security Act 1989 (c. 24), Sch. 8, para. 10(2)

Status: Point in time view as at 06/04/2009.

Changes to legislation: Social Security Act 1986 is up to date with all changes known to be in force on or before 10 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

90 Citation.

- (1) This Act may be cited as the Social Security Act 1986.
- (2) This Act, except section 77 above, may be cited together with the Social Security Acts 1975 to 1985 as the Social Security Acts 1975 to 1986.

Status: Point in time view as at 06/04/2009.

Changes to legislation: Social Security Act 1986 is up to date with all changes known to be in force on or before 10 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

^{F76}SCHEDULE 1

.....

Textual Amendments

F76 Sch. 1 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

^{F83}SCHEDULE 2

.....

Textual Amendments

F83 Sch. 2 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

SCHEDULE 3

Section 39.

INDUSTRIAL INJURIES AND DISEASES

1—16. ^{F84}

.....

Textual Amendments

F84 The following sections and schedules are repealed (1.7.1992) by the **Social Security (Consequential Provisions) Act 1992 (c. 6)** on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); **ss. 56(2)(b)(3)(b)(4)–(4B)**, 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); **ss. 62–69, 70(1), 73, 74, 79(3)(4)**; words in s. 80(1); **ss. 81, 83(2)(3)(b)–(e)**; words in s. 83(5); words in s. 84(1); **ss. 84(3), 85(1)(a)–(c)(f)(3)(c)(d)(4)**; words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); **Sch. 3** except para. 17; **Sch.4**; **Sch. 5 paras 2–20** and Pt. II paras (b)(c); **Sch. 6**; **Sch. 7**; **Sch. 8 paras 1–3, 5–7**; **Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68(2), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103(a)(b), 104–107, 108(a)**

Pneumoconiosis etc. (Workers’ Compensation) Act 1979 (c. 41)

17 (1) Section 2 of the Pneumoconiosis etc. (Workers’ Compensation) Act 1979 (conditions of entitlement to lump sum payments) shall be amended as follows.

Status: Point in time view as at 06/04/2009.

Changes to legislation: Social Security Act 1986 is up to date with all changes known to be in force on or before 10 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (2) At the end of subsection (1)(a) there shall be added the words “or, subject to subsection (3A) below, would be payable to him in respect of it but for his disablement amounting to less than the appropriate percentage”.
- (3) At the end of subsection (2)(b) there shall be added the words “or, subject to subsection (3A) below, would have been so payable to him—
- (i) but for his disablement amounting to less than the appropriate percentage; or
 - (ii) but for his not having claimed the benefit; or
 - (iii) but for his having died before he had suffered from the disease for the appropriate period”.
- (4) In subsection (3) the following definitions shall be inserted before the definition of “death benefit”—
- “the appropriate percentage” means, in the case of any disease, the percentage specified in subsection (1) of section 57 of the Social Security Act 1975 or, if regulations have been made under section 77 of that Act specifying a different percentage in relation to that disease, the percentage specified in the regulations;
- “the appropriate period” means, in the case of any disease, the period specified in subsection (4) of the said section 57 or, if regulations have been made under the said section 77 specifying a different period in relation to that disease, the period specified in the regulations;”.
- (5) The following subsection shall be inserted after that subsection—
- “(3A) No amount is payable under this Act in respect of disablement amounting to less than 1 per cent.”.

Modifications etc. (not altering text)

- C19** The text of Sch. 3 para. 17 and Sch. 5 para. 1 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.

SCHEDULE 4

. . . F85

Textual Amendments

- F85** The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); [ss. 56\(2\)\(b\)\(3\)\(b\)\(4\)–\(4B\)](#), 58; words in s. 61(1)(3)–(5); [s. 61\(7\)–\(9\)](#); words in s. 61(10); [ss. 62–69, 70\(1\), 73, 74, 79\(3\)\(4\)](#); words in s. 80(1); [ss. 81, 83\(2\)\(3\)\(b\)–\(e\)](#); words in s. 83(5); words in s. 84(1); [ss. 84\(3\), 85\(1\)\(a\)–\(c\)\(f\)\(3\)\(c\)\(d\)\(4\)](#); words in s. 85(5); [s. 85\(7\)](#); words in s. 85(8)(9)–(12); [Sch. 3](#) except para. 17; [Sch. 4](#); [Sch. 5 paras 2–20](#) and Pt. II paras (b)(c); [Sch. 6](#); [Sch. 7](#); [Sch. 8 paras 1–3, 5–7](#); [Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68\(2\), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103\(a\)\(b\), 104–107, 108\(a\)](#)

Status: Point in time view as at 06/04/2009.

Changes to legislation: Social Security Act 1986 is up to date with all changes known to be in force on or before 10 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULE 5

Section 52.

ADJUDICATION

PART I

AMENDMENT OF ENACTMENTS

Social Security Act 1973 (c. 38)

F86¹

Textual Amendments

F86 Sch. 5 Pt. I para. 1 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

2—20. F87

Textual Amendments

F87 The following sections and schedules are repealed (1.7.1992) by the **Social Security (Consequential Provisions) Act 1992 (c. 6)** on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); ss. 56(2)(b)(3)(b)(4)–(4B), 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); ss. 62–69, 70(1), 73, 74, 79(3)(4); words in s. 80(1); ss. 81, 83(2)(3)(b)–(e); words in s. 83(5); words in s. 84(1); ss. 84(3), 85(1)(a)–(c)(f)(3)(c)(d)(4); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); **Sch. 3** except para. 17; **Sch.4**; **Sch. 5** paras 2–20 and Pt. II paras (b)(c); **Sch. 6**; **Sch. 7**; **Sch. 8** paras 1–3, 5–7; **Sch. 10** paras 10, 34, 40, 48, 54, 62–67, 68(2), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103(a)(b), 104–107, 108(a)

PART II

QUESTIONS FOR DETERMINATION BY THE SECRETARY OF STATE

The questions referred to in section 52(2) above are—

F88(a)

(b) F89

Textual Amendments

F88 Sch. 5 Pt. II para. (a) repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

F89 The following sections and schedules are repealed (1.7.1992) by the **Social Security (Consequential Provisions) Act 1992 (c. 6)** on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); ss. 56(2)(b)(3)(b)(4)–(4B), 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); ss. 62–69, 70(1), 73, 74, 79(3)(4); words in s. 80(1); ss. 81, 83(2)(3)(b)–(e);

Status: Point in time view as at 06/04/2009.

Changes to legislation: Social Security Act 1986 is up to date with all changes known to be in force on or before 10 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

words in s. 83(5); words in s. 84(1); ss. 84(3), 85(1)(a)–(c)(f)(3)(c)(d)(4); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); Sch. 3 except para. 17; Sch.4; Sch. 5 paras 2–20 and Pt. II paras (b)(c); Sch. 6; Sch. 7; Sch. 8 paras 1–3, 5–7; Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68(2), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103(a)(b), 104–107, 108(a)

Textual Amendments

- F88** Sch. 5 Pt. II para. (a) repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt.I; S.I. 1994/86, art. 2
- F89** The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); ss. 56(2)(b)(3)(b)(4)–(4B), 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); ss. 62–69, 70(1), 73, 74, 79(3)(4); words in s. 80(1); ss. 81, 83(2)(3)(b)–(e); words in s. 83(5); words in s. 84(1); ss. 84(3), 85(1)(a)–(c)(f)(3)(c)(d)(4); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); Sch. 3 except para. 17; Sch.4; Sch. 5 paras 2–20 and Pt. II paras (b)(c); Sch. 6; Sch. 7; Sch. 8 paras 1–3, 5–7; Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68(2), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103(a)(b), 104–107, 108(a)

SCHEDULES 6, 7

. . . F90

Textual Amendments

- F90** The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); ss. 56(2)(b)(3)(b)(4)–(4B), 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); ss. 62–69, 70(1), 73, 74, 79(3)(4); words in s. 80(1); ss. 81, 83(2)(3)(b)–(e); words in s. 83(5); words in s. 84(1); ss. 84(3), 85(1)(a)–(c)(f)(3)(c)(d)(4); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); Sch. 3 except para. 17; Sch.4; Sch. 5 paras 2–20 and Pt. II paras (b)(c); Sch. 6; Sch. 7; Sch. 8 paras 1–3, 5–7; Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68(2), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103(a)(b), 104–107, 108(a)

SCHEDULE 8

Section 75.

EARNINGS FACTORS

1–3. F91

Textual Amendments

- F91** The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); ss. 56(2)(b)(3)(b)(4)–(4B), 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); ss. 62–69, 70(1), 73, 74, 79(3)(4); words in s. 80(1); ss. 81, 83(2)(3)(b)–(e);

Status: Point in time view as at 06/04/2009.

Changes to legislation: Social Security Act 1986 is up to date with all changes known to be in force on or before 10 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

words in s. 83(5); words in s. 84(1); ss. 84(3), 85(1)(a)–(c)(f)(3)(c)(d)(4); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); Sch. 3 except para. 17; Sch.4; Sch. 5 paras 2–20 and Pt. II paras (b)(c); Sch. 6; Sch. 7; Sch. 8 paras 1–3, 5–7; Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68(2), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103(a)(b), 104–107, 108(a)

Social Security Pensions Act 1975 (c. 60)

F92⁴

Textual Amendments

F92 Sch. 8 para. 4 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt. I; S.I. 1994/86, art. 2

5—7. F93

Textual Amendments

F93 The following sections and schedules are repealed (1.7.1992) by the Social Security (Consequential Provisions) Act 1992 (c. 6) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); ss. 56(2)(b)(3)(b)(4)–(4B), 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); ss. 62–69, 70(1), 73, 74, 79(3)(4); words in s. 80(1); ss. 81, 83(2)(3)(b)–(e); words in s. 83(5); words in s. 84(1); ss. 84(3), 85(1)(a)–(c)(f)(3)(c)(d)(4); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); Sch. 3 except para. 17; Sch.4; Sch. 5 paras 2–20 and Pt. II paras (b)(c); Sch. 6; Sch. 7; Sch. 8 paras 1–3, 5–7; Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68(2), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103(a)(b), 104–107, 108(a)

F94⁸

Textual Amendments

F94 Sch. 8 para. 8 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt.I; S.I. 1994/86, art. 2

F95⁹

Textual Amendments

F95 Sch. 8 para. 9 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt.I; S.I. 1994/86, art. 2

F96¹⁰

Textual Amendments

F96 Sch. 8 para. 10 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt.I; S.I. 1994/86, art. 2

Social Security (Miscellaneous Provisions) Act 1977 (c. 5)

F97¹¹

Status: Point in time view as at 06/04/2009.

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Textual Amendments

F97 Sch. 8 para. 11 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt.I; S.I. 1994/86, art. 2

SCHEDULE 9

Section 82.

NORTHERN IRELAND

PART I

F98
...

Textual Amendments

F98 Sch. 9 Pt. I, Pt. II paras. 3(1)(c), 3(2)(a)–(g), (j), 11, 12 repealed (1.7.1992) by Social Security (Consequential Provisions) (Northern Ireland) Act 1992 (c. 9), Sch. 1

PART II

TRANSFER OF FUNCTIONS RELATING TO COMMISSIONERS

- 2 (1) In this Part—
- “the Commissioners” means the Chief and other Social Security Commissioners for Northern Ireland;
- “the Department”, except in the expression “the Department of Finance and Personnel”, means the Department of Health and Social Services for Northern Ireland.
- (2) The references in paragraphs 3(1)(b) and 4 to service by any person as a Commissioner include references to service treated as service as a Commissioner under paragraph 5(2) of Schedule 10 to the ^{M15}Social Security (Northern Ireland) Act 1975 (service under former enactments).

Marginal Citations

M15 1975 c. 15.

- 3 (1) The following functions of the Department are hereby transferred to the Lord Chancellor—
- (a) the functions of the Department under paragraphs 4, 6 and 7 of Schedule 10 to the Social Security (Northern Ireland) Act 1975 (payment of remuneration, expenses, and pensions of the Commissioners);
- (b) the functions of the Department under the provisions of the ^{M16}Judicial Pensions Act (Northern Ireland) 1951 (lump sums and widow’s and children’s pensions) and paragraph 3 of Schedule 3 to the ^{M17}Administration

Status: Point in time view as at 06/04/2009.

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of Justice Act 1973 (increase of certain widow’s and children’s pensions) so far as those provisions apply to service by any person as a Commissioner;

- (c) ^{F99}
- (d) the making, under or for the purposes of the enactments mentioned in sub-paragraph (2) below, of regulations with respect to proceedings before the Commissioners, whether for the determination of any matter or for leave to appeal to or from the Commissioners.

(2) The enactments referred to in sub-paragraph (1)(d) above are—

- (a) ^{F99}
- (h) Article 6 of the ^{M18}Forfeiture (Northern Ireland) Order 1982;
- (j) ^{F99}

Textual Amendments
F99 Sch. 9 Pt. I, Pt. II paras. 3(1)(c), 3(2)(a)–(g), (j), 11, 12 repealed (1.7.1992) by Social Security (Consequential Provisions) (Northern Ireland) Act 1992 (c. 9), **Sch. 1**

Marginal Citations
M16 1951 c. 20 (N.I.).
M17 1973 c. 15.
M18 S.I. 1982/1082 (N.I. 14).

- 4 (1) The functions of the Department of Finance and Personnel, so far as they relate to the functions transferred by paragraph 3 above, are hereby transferred to the Treasury.
- (2) The functions of the Department of Finance and Personnel under the ^{M19}Judicial Pensions Act (Northern Ireland) 1951, so far as it applies to service by any person as a Commissioner, are hereby transferred to the Treasury.

Marginal Citations
M19 1951 c. 20 (N.I.).

5 The functions of the Secretary of State under paragraph 7(5) of Schedule 10 to the Social Security (Northern Ireland) Act 1975 (power of Secretary of State to require person retired on medical grounds to resume duties of Commissioner) are hereby transferred to the Lord Chancellor.

^{F100}6

Textual Amendments
F100 Sch. 9 Pt. II para. 6 repealed (2.12.1999) by 1998 c. 47, ss. 100(2), **Sch. 15**; S.I. 1999/3209, art. 2, **Sch.**

7 Regulations made by the Lord Chancellor by virtue of this Part of this Schedule shall be subject to annulment in pursuance of a resolution of either House of Parliament in like manner as a statutory instrument and section 5 of the ^{M20}Statutory Instruments Act 1946 shall apply accordingly.

Status: Point in time view as at 06/04/2009.

Changes to legislation: Social Security Act 1986 is up to date with all changes known to be in force on or before 10 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Marginal Citations

M20 1946 c. 36.

- 8 (1) Enactments and instruments passed or made before the coming into operation of this Part of this Schedule shall have effect, so far as may be necessary for the purpose or in consequence of the transfers effected by this Part as if—
- (a) references to the Department or to the Secretary of State were references to the Lord Chancellor; and
 - (b) references to the Department of Finance and Personnel were references to the Treasury; and
 - (c) references to moneys appropriated by Measure of the Northern Ireland Assembly were references to money provided by Parliament and references to the Consolidated Fund of Northern Ireland were references to the Consolidated Fund of the United Kingdom.
- (2) This Part of this Schedule shall not affect the validity of anything done (or having effect as done) by or in relation to the Department, the Department of Finance and Personnel or the Secretary of State before the coming into operation of this Part, and anything which at the time of the coming into operation of this Part is in process of being done by or in relation to either of those Departments or the Secretary of State may, if it relates to a function transferred by this Part, be continued by or in relation to the Lord Chancellor or the Treasury, as the case may require.
- (3) Anything done (or having effect as done) by the Department, the Department of Finance and Personnel or the Secretary of State for the purpose of a function transferred by this Part of this Schedule, if in force at the coming into operation of this Part, shall have effect, as far as required for continuing its effect after the coming into operation of this Part, as if done by the Lord Chancellor or by the Treasury, as the case may require.
- (4) The amendments specified in Part III of this Schedule are without prejudice to the generality of this paragraph.

PART III

CONSEQUENTIAL AMENDMENTS

Judicial Pensions Act (Northern Ireland) 1951 (c. 20)(N.I.)

- 9 In section 16 of the Judicial Pensions Act (Northern Ireland) 1951 (recommendation required for payments conditional on eligibility for Commissioners' pensions) for the words "Department of Health and Social Services" there shall be substituted the words "Lord Chancellor".

Modifications etc. (not altering text)

C20 The text of Sch. 9 Pt. III paras. 9, 10, 13 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.

Status: Point in time view as at 06/04/2009.

Changes to legislation: Social Security Act 1986 is up to date with all changes known to be in force on or before 10 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Social Security (Northern Ireland) Act 1975 (c. 15)

- 10 (1) In paragraphs 4, 6 and 7 of Schedule 10 to the Social Security (Northern Ireland) Act 1975 (payment of remuneration, expenses and pensions of the Commissioners)—
- (a) for the word “Department” in each place where it occurs (except in the expression “Department of Finance”) there shall be substituted the words “Lord Chancellor”;
 - (b) for the words “Department of Finance” in each place where they occur there shall be substituted the word “Treasury”.
- (2) In sub-paragraph (1) of the said paragraph 6 for the words “moneys appropriated by Measure of the Northern Ireland Assembly” there shall be substituted the words “money provided by Parliament”.
- (3) In sub-paragraph (5) of the said paragraph 7 for the words “Secretary of State” there shall be substituted the words “Lord Chancellor”.

Modifications etc. (not altering text)

C21 The text of Sch. 9 Pt. III paras. 9, 10, 13 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.

Social Security Act 1980 (c. 30)

11, 12.

Textual Amendments

F101 Sch. 9 Pt. I, Pt. II paras. 3(1)(c), 3(2)(a)–(g), (j), 11, 12 repealed (1.7.1992) by [Social Security \(Consequential Provisions\) \(Northern Ireland\) Act 1992 \(c. 9\)](#), [Sch. 1](#)

Forfeiture (Northern Ireland) Order 1982 (S.I. 1982/1082 (N.I. 14))

- 13 In Article 6(2) of the Forfeiture (Northern Ireland) Order 1982 (regulations for purposes of determinations by Social Security Commissioner), for the words “Department of Health and Social Services” there shall be substituted the words “Lord Chancellor”.

Modifications etc. (not altering text)

C22 The text of Sch. 9 Pt. III paras. 9, 10, 13 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.

Status: Point in time view as at 06/04/2009.

Changes to legislation: Social Security Act 1986 is up to date with all changes known to be in force on or before 10 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULE 10

Section 86.

MINOR AND CONSEQUENTIAL AMENDMENTS

Modifications etc. (not altering text)

C23 The text of Schs. 10, 11 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.

PART I

PENSIONS

Social Security Act 1973 (c. 38)

1 The Social Security Act 1973 shall be amended as follows.

F102₂

Textual Amendments

F102 Sch. 10 paras. 2-9 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt. I; S.I. 1994/86, art. 2

F103₃

Textual Amendments

F103 Sch. 10 paras. 2-9 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt. I; S.I. 1994/86, art. 2

F104₄

Textual Amendments

F104 Sch. 10 paras. 2-9 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt. I; S.I. 1994/86, art. 2

F105₅

Textual Amendments

F105 Sch. 10 paras. 2-9 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt. I; S.I. 1994/86, art. 2

F106₆

Textual Amendments

F106 Sch. 10 paras. 2-9 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt. I; S.I. 1994/86, art. 2

F107₇

Status: Point in time view as at 06/04/2009.

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Textual Amendments

F107 Sch. 10 paras. 2-9 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

F108⁸

Textual Amendments

F108 Sch. 10 paras. 2-9 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

F109⁹

Textual Amendments

F109 Sch. 10 paras. 2-9 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

10 **F110**

Textual Amendments

F110 The following sections and schedules are repealed (1.7.1992) by the **Social Security (Consequential Provisions) Act 1992 (c. 6)** on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); ss. 56(2)(b)(3)(b)(4)–(4B), 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); ss. 62–69, 70(1), 73, 74, 79(3)(4); words in s. 80(1); ss. 81, 83(2)(3)(b)–(e); words in s. 83(5); words in s. 84(1); ss. 84(3), 85(1)(a)–(c)(f)(3)(c)(d)(4); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); **Sch. 3** except para. 17; **Sch.4**; **Sch. 5** paras 2–20 and Pt. II paras (b)(c); **Sch. 6**; **Sch. 7**; **Sch. 8** paras 1–3, 5–7; **Sch. 10** paras 10, 34, 40, 48, 54, 62–67, 68(2), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103(a)(b), 104–107, 108(a)

Social Security Pensions Act 1975 (c. 60)

11 The Social Security Pensions Act 1975 shall be amended as follows.

F111¹²

Textual Amendments

F111 Sch. 10 paras. 12-31 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**

F112¹³

Textual Amendments

F112 Sch. 10 paras. 12-31 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

F113¹⁴

Status: Point in time view as at 06/04/2009.

Changes to legislation: Social Security Act 1986 is up to date with all changes known to be in force on or before 10 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

F113 Sch. 10 paras. 12-31 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt.I; S.I. 1994/86, art. 2

F114¹⁵

Textual Amendments

F114 Sch. 10 paras. 12-31 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt.I; S.I. 1994/86, art. 2

F115¹⁶

Textual Amendments

F115 Sch. 10 paras. 12-31 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt.I; S.I. 1994/86, art. 2

F116¹⁷

Textual Amendments

F116 Sch. 10 paras. 12-31 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt.I; S.I. 1994/86, art. 2

F117¹⁸

Textual Amendments

F117 Sch. 10 paras. 12-31 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt.I; S.I. 1994/86, art. 2

F118¹⁹

Textual Amendments

F118 Sch. 10 paras. 12-31 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt.I; S.I. 1994/86, art. 2

F119²⁰

Textual Amendments

F119 Sch. 10 paras. 12-31 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt.I; S.I. 1994/86, art. 2

F120²¹

Textual Amendments

F120 Sch. 10 paras. 12-31 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt.I; S.I. 1994/86, art. 2

F121²²

Status: Point in time view as at 06/04/2009.

Changes to legislation: Social Security Act 1986 is up to date with all changes known to be in force on or before 10 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

F121 Sch. 10 paras. 12-31 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

^{F122}23

Textual Amendments

F122 Sch. 10 paras. 12-31 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

^{F123}24

Textual Amendments

F123 Sch. 10 paras. 12-31 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

^{F124}25

Textual Amendments

F124 Sch. 10 paras. 12-31 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

^{F125}26

Textual Amendments

F125 Sch. 10 paras. 12-31 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

^{F126}27

Textual Amendments

F126 Sch. 10 paras. 12-31 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

^{F127}28

Textual Amendments

F127 Sch. 10 paras. 12-31 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

^{F128}29

Textual Amendments

F128 Sch. 10 paras. 12-31 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

^{F129}30

Status: Point in time view as at 06/04/2009.

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Textual Amendments

F129 Sch. 10 paras. 12-31 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt.I; S.I. 1994/86, art. 2

Employment Protection (Consolidation) Act 1978 (c. 44)

^{F130}31

Textual Amendments

F130 Sch. 10 paras. 12-31 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt.I; S.I. 1994/86, art. 2

PART II

INCOME-RELATED BENEFITS

National Assistance Act 1948 (c. 29)

32 (1) In subsection (3) of section 22 of the National Assistance Act 1948 (charges to be made for local authority accommodation) for the words “(apart from any supplementation of his resources which he will receive under the ^{M21}Supplementary Benefits Act 1976” there shall be substituted the words “(disregarding income support)”.

^{F131}(2)

Textual Amendments

F131 Sch. 10 para. 32(2) repealed (1.4.1993) by National Health Service and Community Care Act 1990 (c. 19), s. 66(2), Sch. 10; S.I. 1992/2975, art. 2(2), Sch.

Marginal Citations

M21 1976 c. 71.

33 The words “, whether before or after the commencement of the Supplementary Benefits Act 1976,” shall be omitted from subsection (6) of section 43 of that Act (recovery of cost of assistance from persons liable for maintenance).

Maintenance Orders Act 1950 (c. 37)

34 ^{F132}

Textual Amendments

F132 The following sections and schedules are repealed (1.7.1992) by the Social Security (Consequential Provisions) Act 1992 (c. 6) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); ss. 56(2)(b)(3)(b)(4)–(4B), 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); ss. 62–69, 70(1), 73, 74, 79(3)(4); words in s. 80(1); ss. 81, 83(2)(3)(b)–(e); words in s. 83(5); words in s. 84(1); ss. 84(3), 85(1)(a)–(c)(f)(3)(c)(d)(4); words in s. 85(5); s. 85(7);

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words in s. 85(8)(9)–(12); Sch. 3 except para. 17; Sch.4; Sch. 5 paras 2–20 and Pt. II paras (b)(c); Sch. 6; Sch. 7; Sch. 8 paras 1–3, 5–7; Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68(2), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103(a)(b), 104–107, 108(a)

- 35 In section 4 of that Act (jurisdiction of English courts to make affiliation orders against persons in Scotland or Northern Ireland)—
- (a) the following paragraph shall be added at the end of subsection (1)—
- “(d) for an order under section 24 of the Social Security Act 1986 (which provides for the recovery of expenditure on income support from such persons);” and
- (b) in subsection (2), after the words “or the said section 18” there shall be inserted the words “or the said section 24”.
- 36 In section 9 of that Act—
- (a) the following paragraph shall be added at the end of subsection (1)—
- “(d) for an order under section 24 of the Social Security Act 1986 (which provides for the recovery of expenditure on income support from such persons);” and
- (b) in subsection (2), after the words “or the said section 18” there shall be inserted the words “or the said section 24”.

F133 37

Textual Amendments

F133 Sch. 10 Pt. II para. 37 repealed (4.11.1996) by S.I. 1995/756, art. 15, Sch. (with art. 16); S.R. 1996/297, art. 3

- 38 In section 12 of that Act (jurisdiction of Northern Ireland courts to make affiliation orders against persons in England or Scotland)—
- (a) the following paragraph shall be added at the end of subsection (1)—
- “(d) for an order under any enactment applying in Northern Ireland and corresponding to section 24 of the Social Security Act 1986 (which provides for the recovery of expenditure on income support from such persons);” and
- (b) the words “or of any order falling within subsection (1)(d) of this section” shall be added at the end of subsection (2).
- 39 In section 16(2) of that Act (enforcement of maintenance orders)—
- (a) the following sub-paragraph shall be inserted after paragraph (a)(vii)—
- “(viii) section 24 of the Social Security Act 1986 or section 4 of the Affiliation Proceedings Act 1957 on an application made under section 25(1) of the Act of 1986;”;
- (b) the following sub-paragraph shall be inserted after paragraph (b)(viii)—
- “(ix) an order made on an application under section 24 of the Social Security Act 1986;” and
- (c) the following sub-paragraph shall be inserted after paragraph (c)(vii)—
- “(viii) any enactment applying in Northern Ireland and corresponding to section 24 of the Social Security Act 1986;”.

Status: Point in time view as at 06/04/2009.

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40

F134

Textual Amendments

F134 The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); [ss. 56\(2\)\(b\)\(3\)\(b\)\(4\)–\(4B\), 58](#); words in s. 61(1)(3)–(5); [s. 61\(7\)–\(9\)](#); words in s. 61(10); [ss. 62–69, 70\(1\), 73, 74, 79\(3\)\(4\)](#); words in s. 80(1); [ss. 81, 83\(2\)\(3\)\(b\)–\(e\)](#); words in s. 83(5); words in s. 84(1); [ss. 84\(3\), 85\(1\)\(a\)–\(c\)\(f\)\(3\)\(c\)\(d\)\(4\)](#); words in s. 85(5); [s. 85\(7\)](#); words in s. 85(8)(9)–(12); [Sch. 3](#) except para. 17; [Sch.4](#); [Sch. 5 paras 2–20](#) and Pt. II paras (b)(c); [Sch. 6](#); [Sch. 7](#); [Sch. 8 paras 1–3, 5–7](#); [Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68\(2\), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103\(a\)\(b\), 104–107, 108\(a\)](#)

Social Work (Scotland) Act 1968 (c. 49)

- 41 (1) In section 78(2A) of the Social Work (Scotland) Act 1968 (duty to make contributions in respect of children in care etc.) for words from “of” where second occurring to the end there shall be substituted the words “of income support or family credit.”.
- (2) In section 87(3) of that Act (charges for service and accommodation)—
- (a) after the word “by” where first occurring there shall be inserted the words “the Schedule to the ^{M22}Housing (Homeless Persons) Act 1977, paragraph 2(1) of Schedule 4 to the ^{M23}Social Security Act 1980.”;
 - (b) after “1983” there shall be inserted “and paragraph 32 of Schedule 10 to the Social Security Act 1986”; and
 - (c) ^{F135}

Textual Amendments

F135 [Sch. 10 para. 41\(2\)\(c\)](#) repealed (E.W.) (6.4.2009) by [Health and Social Care Act 2008 \(c. 14\)](#), [ss. 166, 170\(3\)](#), [Sch. 15 Pt. 5](#); S.I. 2009/462, [art. 4\(c\)](#); S.I. 2009/631, {art. 2{c}}

Marginal Citations

M22 1977 c. 48.

M23 1980 c. 30.

Administration of Justice Act 1970 (c. 31)

- 42 In Schedule 8 to the Administration of Justice Act 1970 (maintenance orders)—
- (a) in paragraph 5, the word “or” shall be omitted from both places where it occurs and after “1975” there shall be inserted the words “or section 25 of the Social Security Act 1986”; and
 - (b) in paragraph 6, the word “or”, where first occurring, shall be omitted and after “1976” there shall be inserted the words “ or section 24 of the Social Security Act “1986”. ”

Status: Point in time view as at 06/04/2009.

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Attachment of Earnings Act 1971 (c. 32)

- 43 In Schedule 1 to the Attachment of Earnings Act 1971 (maintenance orders)—
- (a) in paragraph 6, the word “or” shall be omitted from both places where it occurs and after “1976” there shall be inserted the words “or section 25 of the Social Security Act 1986”; and
 - (b) in paragraph 7, the word “or” where first occurring shall be omitted and after “1976” there shall be inserted the words “or section 24 of the Social Security Act 1986”.

Housing (Financial Provisions) (Scotland) Act 1972 (c. 46)

- 44 (1) In section 24(1)(a) of the Housing (Financial Provisions) (Scotland) Act 1972 (amount to be carried to credit of rent rebate account) for the words “under section 32 of the ^{M24}Social Security and Housing Benefits Act 1982” there shall be substituted the words “under section 30 of the Social Security Act 1986”.
- (2) In section 25(1)(a) of that Act (amount to be carried to credit of rent allowance account) for the words “under section 32 of the Social Security and Housing Benefits Act 1982” there shall be substituted the words “under section 30 of the Social Security Act 1986”.

Marginal Citations

M24 1982 c. 24.

Employment and Training Act 1973 (c. 50)

- 45 In section 12(2)(b) of the Employment and Training Act 1973 (ancillary and transitional provisions) for the words “supplementary benefit within the meaning of the ^{M25}Supplementary Benefits Act 1976” there shall be substituted the words “income support”.

Marginal Citations

M25 1976 c. 71.

Legal Aid Act 1974 (c. 4)

- 46 In each of the following provisions of the Legal Aid Act 1974, for the words from “supplementary” to “1970” there shall be substituted the words “income support or family credit”—
- (a) section 1(1)(b);
 - (b) section 4(2);
 - (c) section 11(5).
- 47 In paragraph 3(c) of Part I of Schedule 1 to that Act for the words “18 of the ^{M26}Supplementary Benefits Act 1976” there shall be substituted the words “24 of the Social Security Act 1986”.

Status: Point in time view as at 06/04/2009.

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Marginal Citations

M26 1976 c. 71.

48

F136

Textual Amendments

F136 The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); [ss. 56\(2\)\(b\)\(3\)\(b\)\(4\)–\(4B\)](#), 58; words in s. 61(1)(3)–(5); [s. 61\(7\)–\(9\)](#); words in s. 61(10); [ss. 62–69, 70\(1\), 73, 74, 79\(3\)\(4\)](#); words in s. 80(1); [ss. 81, 83\(2\)\(3\)\(b\)–\(e\)](#); words in s. 83(5); words in s. 84(1); [ss. 84\(3\), 85\(1\)\(a\)–\(c\)\(f\)\(3\)\(c\)\(d\)\(4\)](#); words in s. 85(5); [s. 85\(7\)](#); words in s. 85(8)(9)–(12); [Sch. 3](#) except para. 17; [Sch. 4](#); [Sch. 5 paras 2–20](#) and Pt. II paras (b)(c); [Sch. 6](#); [Sch. 7](#); [Sch. 8 paras 1–3, 5–7](#); [Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68\(2\), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103\(a\)\(b\), 104–107, 108\(a\)](#)

Local Government (Scotland) Act 1975 (c. 30)

Rating (Disabled Persons) Act 1978 (c. 40)

49

The words “the housing benefit scheme (whether or not modified under section 28 of the Social Security Act 1986)” shall be substituted for the words “a scheme made under section 28(1)(a) of the ^{M27}Social Security and Housing Benefits Act 1982 (whether or not modified under section 30(1)(a) of that Act)”—

- (a) in section 8(4) of the Local Government (Scotland) Act 1975 (payment of rates by instalments);
- (b) in section 1(6) of the Rating (Disabled Persons) Act 1978 (rebates for hereditaments with special facilities for disabled persons); and
- (c) in section 4(9) of that Act (rebates for lands and heritages with special facilities for disabled persons).

Marginal Citations

M27 1982 c. 24.

Employment Protection (Consolidation) Act 1978 (c. 44)

F13750

Textual Amendments

F137 [Sch. 10 Pt. II para. 50](#) repealed (22.8.1996) by 1996 c. 17, [ss. 45, 46](#), [Sch. 3 Pt. I](#) (with s. 38)

Status: Point in time view as at 06/04/2009.

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Child Care Act 1980 (c. 5)

F138 51

Textual Amendments

F138 Sch. 10 para. 51 repealed (E.W.)(14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), **Sch. 15** (with Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

Local Government, Planning and Land Act 1980 (c. 65)

52 F139

Textual Amendments

F139 Sch. 10 para. 52 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 group 2}

53 In section 154 of that Act (grant of rent rebates by urban developments corporations) for the words “Part II of the Social Security and Housing Benefits Act 1982” there shall be substituted the words “Part II of the Social Security Act 1986”.

54 F140

Textual Amendments

F140 The following sections and schedules are repealed (1.7.1992) by the **Social Security (Consequential Provisions) Act 1992 (c. 6)** on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); ss. 56(2)(b)(3)(b)(4)–(4B), 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); ss. 62–69, 70(1), 73, 74, 79(3)(4); words in s. 80(1); ss. 81, 83(2)(3)(b)–(e); words in s. 83(5); words in s. 84(1); ss. 84(3), 85(1)(a)–(c)(f)(3)(c)(d)(4); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); **Sch. 3** except para. 17; **Sch. 4**; **Sch. 5** paras 2–20 and Pt. II paras (b)(c); **Sch. 6**; **Sch. 7**; **Sch. 8** paras 1–3, 5–7; **Sch. 10** paras 10, 34, 40, 48, 54, 62–67, 68(2), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103(a)(b), 104–107, 108(a)

Civil Jurisdiction and Judgments Act 1982 (c. 27)

55 In paragraph 5 of Schedule 5 to the Civil Jurisdiction and Judgments Act 1982 (proceedings excluded from Schedule 4)—

- (a) in sub-paragraph (c), after “1976”, there shall be inserted the words “section 24 of the Social Security Act 1986, or any enactment applying in Northern Ireland and corresponding to it,”; and
- (b) in sub-paragraph (d), after “1976,” there shall be inserted the words “section 25 of the Social Security Act 1986 or any enactment applying in Northern Ireland and corresponding to it,”.

Status: Point in time view as at 06/04/2009.

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Legal Aid Act 1982(c.44)

- 56 In section 7(8) of the Legal Aid Act 1982 (legal aid contribution orders) for the words from “supplementary benefit” to the end there shall be substituted the words “income support or family credit under the Social Security Act 1986.”.

Transport Act 1982 (c. 49)

- 57 In section 70(2)(b) of the Transport Act 1982 (payments in respect of applicants for exemption from wearing seat belts) for the words from “of” to “and” there shall be substituted the words “of income support or family credit and”.

Housing Act 1985 (c. 68)

- 58 In subsection (2)(b) of section 425 of the Housing Act 1985 (the local contribution differential) for the words “section 32 of the Social Security and Housing Benefits Act 1982” there shall be substituted the words “section 30 of the Social Security Act 1986”.
- 59 In Item 4 in Part I of Schedule 14 to that Act (items to be credited to the Housing Revenue Account) for the words “Social Security and Housing Benefits Act 1982” there shall be substituted the words “Social Security Act 1986”.
- 60 In paragraph 3 of Part IV of that Schedule (rate fund contributions to the Housing Revenue Account) for the words “section 34(1) of the Social Security and Housing Benefits Act 1982” there shall be substituted the words “section 30(6) of the Social Security Act 1986”.

Legal Aid (Scotland) Act 1986 (c. 47)

- 61 In section 8(b) (availability of legal advice and assistance) and section 11(2) (clients’ contributions) of the Legal Aid (Scotland) Act 1986, for the words from “supplementary” to “1970” there shall be substituted the words “income support or family credit”.

PART III

BENEFITS UNDER SOCIAL SECURITY ACT 1975

62—66. **F141**

Textual Amendments

F141 The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); [ss. 56\(2\)\(b\)\(3\)\(b\)\(4\)–\(4B\)](#), 58; words in s. 61(1)(3)–(5); [s. 61\(7\)–\(9\)](#); words in s. 61(10); [ss. 62–69, 70\(1\), 73, 74, 79\(3\)\(4\)](#); words in s. 80(1); [ss. 81, 83\(2\)\(3\)\(b\)–\(e\)](#); words in s. 83(5); words in s. 84(1); [ss. 84\(3\), 85\(1\)\(a\)–\(c\)\(f\)\(3\)\(c\)\(d\)\(4\)](#); words in s. 85(5); [s. 85\(7\)](#); words in s. 85(8)(9)–(12); [Sch. 3](#) except para. 17; [Sch.4](#); [Sch. 5 paras 2–20](#) and Pt. II paras (b)(c); [Sch. 6](#); [Sch. 7](#); [Sch. 8 paras 1–3, 5–7](#); [Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68\(2\), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103\(a\)\(b\), 104–107, 108\(a\)](#)

Status: Point in time view as at 06/04/2009.

Changes to legislation: Social Security Act 1986 is up to date with all changes known to be in force on or before 10 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Industrial Injuries and Diseases (Old Cases) Act 1975 (c. 16)

67 F142

Textual Amendments

F142 The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); [ss. 56\(2\)\(b\)\(3\)\(b\)\(4\)–\(4B\)](#), 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); [ss. 62–69, 70\(1\), 73, 74, 79\(3\)\(4\)](#); words in s. 80(1); [ss. 81, 83\(2\)\(3\)\(b\)–\(e\)](#); words in s. 83(5); words in s. 84(1); [ss. 84\(3\), 85\(1\)\(a\)–\(c\)\(f\)\(3\)\(c\)\(d\)\(4\)](#); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); [Sch. 3](#) except para. 17; [Sch.4](#); [Sch. 5 paras 2–20](#) and Pt. II paras (b)(c); [Sch. 6](#); [Sch. 7](#); [Sch. 8 paras 1–3, 5–7](#); [Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68\(2\), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103\(a\)\(b\), 104–107, 108\(a\)](#)

68 (1) In section 4(8)(a) of that Act (parliamentary procedure for making of schemes) for the words “an up-rating order under the Social Security Act” there shall be substituted the words “any order or regulations under the Social Security Acts 1975 to 1986”.

(2) F143

Textual Amendments

F143 The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); [ss. 56\(2\)\(b\)\(3\)\(b\)\(4\)–\(4B\)](#), 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); [ss. 62–69, 70\(1\), 73, 74, 79\(3\)\(4\)](#); words in s. 80(1); [ss. 81, 83\(2\)\(3\)\(b\)–\(e\)](#); words in s. 83(5); words in s. 84(1); [ss. 84\(3\), 85\(1\)\(a\)–\(c\)\(f\)\(3\)\(c\)\(d\)\(4\)](#); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); [Sch. 3](#) except para. 17; [Sch.4](#); [Sch. 5 paras 2–20](#) and Pt. II paras (b)(c); [Sch. 6](#); [Sch. 7](#); [Sch. 8 paras 1–3, 5–7](#); [Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68\(2\), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103\(a\)\(b\), 104–107, 108\(a\)](#)

69, 70. F144

Textual Amendments

F144 The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); [ss. 56\(2\)\(b\)\(3\)\(b\)\(4\)–\(4B\)](#), 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); [ss. 62–69, 70\(1\), 73, 74, 79\(3\)\(4\)](#); words in s. 80(1); [ss. 81, 83\(2\)\(3\)\(b\)–\(e\)](#); words in s. 83(5); words in s. 84(1); [ss. 84\(3\), 85\(1\)\(a\)–\(c\)\(f\)\(3\)\(c\)\(d\)\(4\)](#); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); [Sch. 3](#) except para. 17; [Sch.4](#); [Sch. 5 paras 2–20](#) and Pt. II paras (b)(c); [Sch. 6](#); [Sch. 7](#); [Sch. 8 paras 1–3, 5–7](#); [Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68\(2\), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103\(a\)\(b\), 104–107, 108\(a\)](#)

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Changes to legislation: Social Security Act 1986 is up to date with all changes known to be in force on or before 10 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

PART IV

STATUTORY MATERNITY PAY, STATUTORY SICK PAY ETC.

Income and Corporation Taxes Act 1970 (c. 10)

- 71 At the end of section 219A of the Income and Corporation Taxes Act 1970 (which charges certain payments to income tax under Schedule E) there shall be added “and
- (d) payments of statutory maternity pay under Part V of the Social Security Act 1986 or, in Northern Ireland, any corresponding provision contained in an Order in Council under the Northern Ireland Act 1974.”.

Social Security Act 1975 (c. 14)

- 72 F145

Textual Amendments

F145 The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); [ss. 56\(2\)\(b\)\(3\)\(b\)\(4\)–\(4B\)](#), 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); [ss. 62–69, 70\(1\), 73, 74, 79\(3\)\(4\)](#); words in s. 80(1); [ss. 81, 83\(2\)\(3\)\(b\)–\(e\)](#); words in s. 83(5); words in s. 84(1); [ss. 84\(3\), 85\(1\)\(a\)–\(c\)\(f\)\(3\)\(c\)\(d\)\(4\)](#); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); [Sch. 3](#) except para. 17; [Sch.4](#); [Sch. 5 paras 2–20](#) and Pt. II paras (b)(c); [Sch. 6](#); [Sch. 7](#); [Sch. 8 paras 1–3, 5–7](#); [Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68\(2\), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103\(a\)\(b\), 104–107, 108\(a\)](#)

- 73 In section 122(4) of that Act for the words “either or both those Funds” there shall be substituted the words “that Fund”.

- 74 F146

Textual Amendments

F146 The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); [ss. 56\(2\)\(b\)\(3\)\(b\)\(4\)–\(4B\)](#), 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); [ss. 62–69, 70\(1\), 73, 74, 79\(3\)\(4\)](#); words in s. 80(1); [ss. 81, 83\(2\)\(3\)\(b\)–\(e\)](#); words in s. 83(5); words in s. 84(1); [ss. 84\(3\), 85\(1\)\(a\)–\(c\)\(f\)\(3\)\(c\)\(d\)\(4\)](#); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); [Sch. 3](#) except para. 17; [Sch.4](#); [Sch. 5 paras 2–20](#) and Pt. II paras (b)(c); [Sch. 6](#); [Sch. 7](#); [Sch. 8 paras 1–3, 5–7](#); [Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68\(2\), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103\(a\)\(b\), 104–107, 108\(a\)](#)

Employment Protection (Consolidation) Act 1978 (c. 44)

- F147 75

Status: Point in time view as at 06/04/2009.

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Textual Amendments

F147 Sch. 10 para. 75 repealed (10.6.1994) by 1993 c. 19, s. 51, Sch.10; S.I. 1994/1365, art. 2

F148 76

Textual Amendments

F148 Sch. 10 Pt. IV para. 76 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I

Social Security and Housing Benefits Act 1982 (c. 24)

77 **F149**

Textual Amendments

F149 The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); [ss. 56\(2\)\(b\)\(3\)\(b\)\(4\)–\(4B\)](#), 58; words in s. 61(1)(3)–(5); [s. 61\(7\)–\(9\)](#); words in s. 61(10); [ss. 62–69, 70\(1\), 73, 74, 79\(3\)\(4\)](#); words in s. 80(1); [ss. 81, 83\(2\)\(3\)\(b\)–\(e\)](#); words in s. 83(5); words in s. 84(1); [ss. 84\(3\), 85\(1\)\(a\)–\(c\)\(f\)\(3\)\(c\)\(d\)\(4\)](#); words in s. 85(5); [s. 85\(7\)](#); words in s. 85(8)(9)–(12); [Sch. 3](#) except para. 17; [Sch.4](#); [Sch. 5 paras 2–20](#) and Pt. II paras (b)(c); [Sch. 6](#); [Sch. 7](#); [Sch. 8 paras 1–3, 5–7](#); [Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68\(2\), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103\(a\)\(b\), 104–107, 108\(a\)](#)

78 The following paragraph shall be inserted before paragraph (a) of section 45(2) of that Act (Parliamentary control of subordinate legislation)—
“(za) regulations under section 7 of this Act;”.

Insolvency Act 1985 (c. 65)

79 In paragraph 3(2)(d) of Part II of Schedule 4 to the Insolvency Act 1985 (preferential debts) the words from the beginning to “1982” shall cease to have effect.

Bankruptcy (Scotland) Act 1985 (c. 66)

80 Paragraph 9(2)(d) of Schedule 3 to the Bankruptcy (Scotland) Act 1985 (preferential debts) shall cease to have effect.

Wages Act 1986 (c. 48)

F150 81

Textual Amendments

F150 Sch. 10 Pt. IV para. 81 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I

Status: Point in time view as at 06/04/2009.

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PART V

COMMON PROVISIONS

Social Security Act 1973 (c. 38)

F151 82

Textual Amendments

F151 Sch. 10 para. 82 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt.I; S.I. 1994/86, art. 2

Social Security Act 1975 (c. 14)

83—88. F152

Textual Amendments

F152 The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); ss. 56(2)(b)(3)(b)(4)–(4B), 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); ss. 62–69, 70(1), 73, 74, 79(3)(4); words in s. 80(1); ss. 81, 83(2)(3)(b)–(e); words in s. 83(5); words in s. 84(1); ss. 84(3), 85(1)(a)–(c)(f)(3)(c)(d)(4); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); Sch. 3 except para. 17; Sch.4; Sch. 5 paras 2–20 and Pt. II paras (b)(c); Sch. 6; Sch. 7; Sch. 8 paras 1–3, 5–7; Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68(2), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103(a)(b), 104–107, 108(a)

89 In section 167(3) of that Act (parliamentary procedure) for the words “, 123A or 126A or an up-rating order” there shall be substituted the words “or 123A”.

90 F153

Textual Amendments

F153 The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); ss. 56(2)(b)(3)(b)(4)–(4B), 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); ss. 62–69, 70(1), 73, 74, 79(3)(4); words in s. 80(1); ss. 81, 83(2)(3)(b)–(e); words in s. 83(5); words in s. 84(1); ss. 84(3), 85(1)(a)–(c)(f)(3)(c)(d)(4); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); Sch. 3 except para. 17; Sch.4; Sch. 5 paras 2–20 and Pt. II paras (b)(c); Sch. 6; Sch. 7; Sch. 8 paras 1–3, 5–7; Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68(2), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103(a)(b), 104–107, 108(a)

Social Security Pensions Act 1975 (c. 60)

91, 92. F154

Status: Point in time view as at 06/04/2009.

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Textual Amendments

F154 The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); [ss. 56\(2\)\(b\)\(3\)\(b\)\(4\)–\(4B\)](#), 58; words in s. 61(1)(3)–(5); [s. 61\(7\)–\(9\)](#); words in s. 61(10); [ss. 62–69, 70\(1\), 73, 74, 79\(3\)\(4\)](#); words in s. 80(1); [ss. 81, 83\(2\)\(3\)\(b\)–\(e\)](#); words in s. 83(5); words in s. 84(1); [ss. 84\(3\), 85\(1\)\(a\)–\(c\)\(f\)\(3\)\(c\)\(d\)\(4\)](#); words in s. 85(5); [s. 85\(7\)](#); words in s. 85(8)(9)–(12); [Sch. 3](#) except para. 17; [Sch. 4](#); [Sch. 5 paras 2–20](#) and Pt. II paras (b)(c); [Sch. 6](#); [Sch. 7](#); [Sch. 8 paras 1–3, 5–7](#); [Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68\(2\), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103\(a\)\(b\), 104–107, 108\(a\)](#)

93 In subsection (1) of section 59 of that Act (official pension) for the words “that section” there shall be substituted the words “section 63 of the Social Security Act 1986”.

94 In section 61(2) of that Act (consultation about regulations)—
(a) for the word “Where” there shall be substituted the words “Subject to section 61 of the Social Security Act 1986, where”; and
(b) after the words “of this Act” there shall be inserted the words “or of Part I of the Social Security Act 1986”.

95 **F155**

Textual Amendments

F155 The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); [ss. 56\(2\)\(b\)\(3\)\(b\)\(4\)–\(4B\)](#), 58; words in s. 61(1)(3)–(5); [s. 61\(7\)–\(9\)](#); words in s. 61(10); [ss. 62–69, 70\(1\), 73, 74, 79\(3\)\(4\)](#); words in s. 80(1); [ss. 81, 83\(2\)\(3\)\(b\)–\(e\)](#); words in s. 83(5); words in s. 84(1); [ss. 84\(3\), 85\(1\)\(a\)–\(c\)\(f\)\(3\)\(c\)\(d\)\(4\)](#); words in s. 85(5); [s. 85\(7\)](#); words in s. 85(8)(9)–(12); [Sch. 3](#) except para. 17; [Sch. 4](#); [Sch. 5 paras 2–20](#) and Pt. II paras (b)(c); [Sch. 6](#); [Sch. 7](#); [Sch. 8 paras 1–3, 5–7](#); [Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68\(2\), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103\(a\)\(b\), 104–107, 108\(a\)](#)

Child Benefit Act 1975 (c. 61)

96 At the end of subsection (1) of section 6 of the Child Benefit Act 1975 (child benefit claims and payments) there shall be added the words “and within the prescribed time”.

97 **F156**

Textual Amendments

F156 The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); [ss. 56\(2\)\(b\)\(3\)\(b\)\(4\)–\(4B\)](#), 58; words in s. 61(1)(3)–(5); [s. 61\(7\)–\(9\)](#); words in s. 61(10); [ss. 62–69, 70\(1\), 73, 74, 79\(3\)\(4\)](#); words in s. 80(1); [ss. 81, 83\(2\)\(3\)\(b\)–\(e\)](#); words in s. 83(5); words in s. 84(1); [ss. 84\(3\), 85\(1\)\(a\)–\(c\)\(f\)\(3\)\(c\)\(d\)\(4\)](#); words in s. 85(5); [s. 85\(7\)](#); words in s. 85(8)(9)–(12); [Sch. 3](#) except para. 17; [Sch. 4](#); [Sch. 5 paras 2–20](#) and Pt. II paras (b)(c); [Sch.](#)

Status: Point in time view as at 06/04/2009.

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6; Sch. 7; Sch. 8 paras 1–3, 5–7; Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68(2), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103(a)(b), 104–107, 108(a)

98—100. F157

Textual Amendments

F157 The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); ss. 56(2)(b)(3)(b)(4)–(4B), 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); ss. 62–69, 70(1), 73, 74, 79(3)(4); words in s. 80(1); ss. 81, 83(2)(3)(b)–(e); words in s. 83(5); words in s. 84(1); ss. 84(3), 85(1)(a)–(c)(f)(3)(c)(d)(4); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); Sch. 3 except para. 17; Sch. 4; Sch. 5 paras 2–20 and Pt. II paras (b)(c); Sch. 6; Sch. 7; Sch. 8 paras 1–3, 5–7; Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68(2), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103(a)(b), 104–107, 108(a)

PART VI

MISCELLANEOUS

Income and Corporation Taxes Act 1970 (c. 10)

- 101 In section 219 of the Income and Corporation Taxes Act 1970 (taxation of benefits)
- (a) in subsection (1), for the words, “maternity benefit” there shall be substituted the words “maternity allowance, widow’s payments”; and
 - (b) in subsection (2), for the words “in respect of a family income supplement under the ^{M28}Family Income Supplements Act 1970 or the ^{M29}Family Income Supplements Act (Northern Ireland) 1971” there shall be substituted the words “of family credit under the Social Security Act 1986 or any corresponding enactment applying to Northern Ireland.”.

Marginal Citations

- M28** 1970 c. 55.
M29 1971 c. 8. (N.I.).

Attachment of Earnings Act 1971 (c. 32)

- 102 In section 24(2)(c) of the Attachment of Earnings Act 1971 (social security benefits etc. not earnings for purposes of Act) for the words from “of” to the end there shall be substituted “enactment relating to social security;”.

National Insurance Act 1974 (c. 14) Social Security Act 1980 (c. 30) Social Security Act 1985 (c. 53)

- 103 The words “the Social Security Acts 1975 to 1986” shall be substituted—

Status: Point in time view as at 06/04/2009.

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- (a) F158
- (c) for the words “the Social Security Acts 1975 to 1985” in section 5 of the Social Security Act 1985.

Textual Amendments

F158 The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); [ss. 56\(2\)\(b\)\(3\)\(b\)\(4\)–\(4B\)](#), 58; words in s. 61(1)(3)–(5); [s. 61\(7\)–\(9\)](#); words in s. 61(10); [ss. 62–69, 70\(1\), 73, 74, 79\(3\)\(4\)](#); words in s. 80(1); [ss. 81, 83\(2\)\(3\)\(b\)–\(e\)](#); words in s. 83(5); words in s. 84(1); [ss. 84\(3\), 85\(1\)\(a\)–\(c\)\(f\)\(3\)\(c\)\(d\)\(4\)](#); words in s. 85(5); [s. 85\(7\)](#); words in s. 85(8)(9)–(12); [Sch. 3](#) except para. 17; [Sch.4](#); [Sch. 5 paras 2–20](#) and Pt. II paras (b)(c); [Sch. 6](#); [Sch. 7](#); [Sch. 8 paras 1–3, 5–7](#); [Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68\(2\), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103\(a\)\(b\), 104–107, 108\(a\)](#)

Social Security Act 1975 (c. 14)

104—
107.

Textual Amendments

F159 The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); [ss. 56\(2\)\(b\)\(3\)\(b\)\(4\)–\(4B\)](#), 58; words in s. 61(1)(3)–(5); [s. 61\(7\)–\(9\)](#); words in s. 61(10); [ss. 62–69, 70\(1\), 73, 74, 79\(3\)\(4\)](#); words in s. 80(1); [ss. 81, 83\(2\)\(3\)\(b\)–\(e\)](#); words in s. 83(5); words in s. 84(1); [ss. 84\(3\), 85\(1\)\(a\)–\(c\)\(f\)\(3\)\(c\)\(d\)\(4\)](#); words in s. 85(5); [s. 85\(7\)](#); words in s. 85(8)(9)–(12); [Sch. 3](#) except para. 17; [Sch.4](#); [Sch. 5 paras 2–20](#) and Pt. II paras (b)(c); [Sch. 6](#); [Sch. 7](#); [Sch. 8 paras 1–3, 5–7](#); [Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68\(2\), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103\(a\)\(b\), 104–107, 108\(a\)](#)

Forfeiture Act 1982 (c. 34)

- 108 In section 4 of the Forfeiture Act 1982—
- (a) F160
 - (b) in subsection (5), for the words from “the ^{M30}Family Income Supplements Act 1970” to “the ^{M31}Social Security Act 1980” there shall be substituted the words—

“the Child Benefit Act 1975,
the Social Security Acts 1975 to 1986.”

Textual Amendments

F160 The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); [ss. 56\(2\)\(b\)\(3\)\(b\)\(4\)–\(4B\)](#), 58; words in s. 61(1)(3)–(5); [s. 61\(7\)–\(9\)](#); words in s. 61(10); [ss. 62–69, 70\(1\), 73, 74, 79\(3\)\(4\)](#); words in s. 80(1); [ss. 81, 83\(2\)\(3\)\(b\)–\(e\)](#); words in s. 83(5); words in s. 84(1); [ss. 84\(3\), 85\(1\)\(a\)–\(c\)\(f\)\(3\)\(c\)\(d\)\(4\)](#); words in s. 85(5); [s. 85\(7\)](#);

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words in s. 85(8)(9)–(12); Sch. 3 except para. 17; Sch.4; Sch. 5 paras 2–20 and Pt. II paras (b)(c); Sch. 6; Sch. 7; Sch. 8 paras 1–3, 5–7; Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68(2), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103(a)(b), 104–107, 108(a)

Marginal Citations

M30 1970 c. 55.

M31 1980 c. 30.

SCHEDULE 11

Section 86.

REPEALS

Modifications etc. (not altering text)

C24 The text of Schs. 10, 11 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.

Chapter	Short title	Extent of repeal
11 & 12 Geo. 6. c. 29.	National Assistance Act 1948.	In Section 43(6), the words “, whether before or after the commencement of the Supplementary Benefits Act 1976,”. In section 50(4), the words “or subsection (3)” and the words from “less” to the end. Section 53.
1965 c. 55.	Statute Law Revision (Consequential Repeals) Act 1965.	The whole Act.
1966 c. 20.	Supplementary Benefit Act 1966.	Section 26.
1968 c. 49.	Social Work (Scotland) Act 1968.	In section 28(2), the words “and not reimbursed under section 32 of the Social Security Act 1975”.
1970 c. 10.	Income and Corporation Taxes Act 1970.	In section 219(1), the words “death grant”. In section 219A(1)(b), the word “and”
1970 c. 55.	Family Income Supplements Act 1970.	The whole Act.

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1971 c. 32.	Attachment of Earnings Act 1971.	Schedule 4.
1972 c. 70.	Local Government Act 1972.	In section 119(2), the words from “having” to the end.
1972 c. 75.	Pensioners and Family Income Supplement Payments Act 1972.	The whole Act.
1972 c. 80.	Pensioners’ Payments and National Insurance Contributions Act 1972.	The whole Act.
1973 c. 38.	Social Security Act 1973.	Section 92(3) and (4). In section 99(1), the definition of requisite benefits. Schedule 23.
1973 c. 61.	Pensioners’ Payments and National Insurance Act 1973.	The whole Act.
1974 c. 14.	National Insurance Act 1974.	In section 6(1), the words “the Supplementary Benefits Act 1976, the Family Income Supplements Act 1970,” and the words “or the Social Security and Housing Benefits Act 1982”.
1974 c. 54.	Pensioners’ Payments Act 1974.	The whole Act.
1975 c. 14.	Social Security Act 1975.	In section 1(1)(b), the words “and the Maternity Pay Fund”. In section 12, in subsection (1), paragraph (h), in subsection (2), the words “and widow’s allowance” and subsection (3). In section 13, in subsection (1), the entries relating to widow’s allowance and death grant, subsection (5)(a) and subsection (5A). Section 21. In section 25(3), the words “and for which she is not entitled to a widow’s allowance”.

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In section 26(3), the words “a widow’s allowance or”.

In section 28(1), the words from “(subject” to “rule))”.

Section 32.

Section 33(1)(a) to (c).

Section 34(2).

In section 37(3), the words from “and a woman” to the end.

Section 37A(4) and (7).

Section 41(2)(e) and (2C).

Section 50(2) and (5).

Section 57(5).

Section 58 and 59.

Section 60.

Section 62.

Sections 64 to 75.

Sections 79 to 81.

In section 82, subsections (3) and (4) and subsection (6)(a).

In section 84, subsection (3) and in subsection (5), the references to sections 65 and 66.

Section 86.

In section 88(a), the words from “or”, in the first place where it occurs, to “prescribed”, in the third place where it occurs.

In section 90, in subsection (2)(a), the words from “(including” to the end and in subsection (3), the references to sections 79 and 81.

In section 91, subsection (1)(b)(i) and in subsection (2), the words “section 58 (unemployability

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supplement),” and the words from “section 64” to the end.

Section 92.

Section 95.

In section 100, in subsection (1), the words “adversely to the claimant” and subsections (5) and (6).

In section 101(3)(c), the words “or, in relation to industrial death benefit, the deceased”.

In section 104(1A), the words “in prescribed circumstances”.

Section 106(3).

In section 107, in subsection (4), the words “, whether or not the claimant is the person at whose instance the declaration was made” and in subsection (6), the words “by fresh evidence” and paragraph (b).

In section 110(1), the words “by fresh evidence”.

Section 114(3) and (4).

In section 117, subsection (4) and in subsection (5), paragraph (a) and the word “and” immediately following it.

In section 119, subsections (1) to (2A), in subsection (3) (b), the words “or out of a requirement to repay any amount by virtue of subsection (2A) above”, subsection (4)(b) to (d) and subsections (5) and (6).

In section 122(4), the words “or the Maternity Pay Fund”.

Sections 124 to 126A.

In section 134(5)(b), the words from “and the

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Maternity Pay Fund” to
“determine”.

In section 135, subsections
(2)(g) and (6).

Section 136.

In section 141(2), the words
from “unless” to the end.

In section 143(1), the words
“relating to social security”.

Sections 144 and 145.

In section 146, in
subsection (1), the
words “under Part III of
the Pensions Act” and
subsection (3)(c) and (5).

Section 147.

In section 151(1), the
words “under Part III of the
Pensions Act”.

In section 152(8), the
words “of the Pensions
Act (including in particular
sections 47 and 64(3))” and
the words “under that Act”.

Section 164.

In Schedule 3, in Part I,
paragraph 7 and, in Part
II, in paragraph 8(2), in
paragraph (a), the words
“other than a widow’s
allowance,” in paragraph
8(3), the words “or a
maternity allowance,” in
paragraphs 9 and 10, the
words “(other than a widow’s
allowance)” and paragraph
12.

In Schedule 4, in Part I,
paragraph 5, Part II, in Part
IV, paragraph 4 and in Part V,
paragraphs 2, 4 to 6 and 10 to
15.

Schedule 5.

In Schedule 8, paragraph (b)
of the proviso to paragraph

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		5 and the word “and” immediately preceding it.
		Schedule 9.
		Schedule 14.
		In Schedule 16, paragraphs 3 and 4.
		In Schedule 20, the definitions of “The deceased” and “Industrial death benefit”, in the definition of “Relative”, the reference to sections 66(8) and 72(6), in the definition of “Short-term benefit” the words “and widow’s allowance”, the definitions of “Unemployability supplement” and “Up-rating order”, and in the definition of “Week”, the reference to section 64.
1975 c. 16.	Industrial Injuries and Diseases (Old Cases) Act 1975.	In section 4(4), paragraph (c) (ii) and the word “or” immediately preceding it.
		Section 9(3).
		Section 10.
1975 c. 18.	Social Security (Consequential Provisions) Act 1975.	In Schedule 2, paragraphs 5, 35, 41 and 44.
		In Schedule 3, paragraph 18.
1975 c. 60.	Social Security Pensions Act 1975.	In section 6, in subsection (2), the words from “or” to the end, in subsection (5), the words “Subject to subsection (5A) below,” and subsection (5A).
		In section 19(2), the words “and (3)(b).”
		Section 22(3) and (5).
		Section 23(1) and (5).
		Section 30(2).
		In section 32(4), the words “relating to the scheme or its management”.
		Section 33(1)(a) and (4).

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Section 34.

In section 36, subsections (2), (4) and (5), in subsection (6), the words “Subject to the following provisions of this section”, subsection (7), in subsection (8), the words from “but the scheme” to the end and subsection (9).

Section 37.

In section 39, subsections (2), (3) and (4)(a).

Section 41(4).

In section 44A(1)(b) and (4), the words “to requisite benefits”.

Section 46.

Section 49(3) and (7).

Section 52D(2) and (3).

Section 56K(4).

In section 66(1), the definition of “requisite benefits” and, in the definition of “resources”, the words “(whether requisite benefits or other benefits)”.

In Schedule 1A, in paragraph 12, in sub-paragraph (3), the words “Subject to sub-paragraph (4) below,” and sub-paragraph (4).

In Schedule 2, paragraph 4.

In Schedule 4, paragraphs 14 and 17, in paragraph 31 the definition of “requisite benefits” and paragraphs 32(a), 41, 42 and 51.

1975 c. 61.

Child Benefit Act 1975.

Section 5(5).

Section 6(2), (4) and (5).

Sections 7 and 8.

Section 9(1).

Sections 10 and 11.

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		In section 15(1), the words “relating to child benefit”.
		Section 17(3) to (6).
		In section 24(1), in the definition of “recognised educational establishment”, the words from “and” to the end.
		In Schedule 4, paragraphs 3 to 6, 11, 27, 29, 31 and 33.
1975 c. 71.	Employment Protection Act 1975.	In section 40, subsections (2) and (4).
1976 c. 36.	Adoption Act 1976.	Section 47(3).
1976 c. 71.	Supplementary Benefits Act 1976.	Sections 1 to 21.
		Sections 24 to 27.
		Sections 31 to 34.
		Schedule 1.
		In Schedule 5, in paragraph 1(2), the words from the beginning to “and” in the first place where it occurs.
		In Schedule 7, paragraphs 1(b) and (d), 3(a), 5, 19, 21, 23, 24, 31, 33 and 37.
1977 c. 5.	Social Security (Miscellaneous Provisions) Act 1977.	Section 9.
		Section 17(2).
		In section 18, in subsection (1), in paragraph (a) the words “and the Supplementary Benefits Act 1976” and paragraphs (c) and in subsection (2) paragraphs (a) and (b).
		Section 19.
		In section 22, in subsection (2), the references to sections 24(2) and 37(3) (b) of the Social Security Act 1975, and subsection (16).
1977 c. 51.	Pensioners’ Payments Act 1977.	The whole Act.

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1978 c. 44.	Employment Protection (Consolidation) Act 1978.	<p>In section 33, subsection (1) (a) and the word “and” immediately following it, in subsection (3), paragraph (c) and in paragraph (d) the words “in the case of the right to return” and in subsection (4), the words “to return”.</p> <p>Sections 34 to 44.</p> <p>Section 122(4)(e).</p> <p>In section 123(5), the words “occupational pension”.</p> <p>In section 127(3), the word “such” in the second place where it occurs.</p> <p>In section 132, in subsection (1)(b) “,III” and in subsection (6), the definition of “supplementary benefit”.</p> <p>In section 133(1)(a), “,33”.</p> <p>In section 138, in subsection (1) the words “(except section 44)”, and in subsection (5) the words “(except section 44(3) and (4))”.</p> <p>In section 139(1), the words “(except section 44)”.</p> <p>In section 153(1) the definitions of “maternity pay”, “Maternity Pay Fund” and “maternity pay rebate”.</p> <p>In section 155(1), the words “44 to”.</p> <p>Section 156(1).</p> <p>Section 157(2)(a) and the word “and” immediately following it.</p> <p>In Schedule 14, paragraph 7(1)(d).</p> <p>In Schedule 15, paragraph 7 and the heading immediately preceding it.</p>
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1978 c. 58.	Pensioners' Payments Act 1978.	The whole Act.
1979 c. 18.	Social Security Act 1979.	Section 3(2). Sections 6 to 8. Sections 12 and 13. In Schedule 3, paragraphs 1, 2, 9, 16 and 24 to 27.
1979 c. 41.	Pneumoconiosis etc. (Workers' Compensation) Act 1979.	In section 2(3), the words "industrial death benefit under section 76 of the Social Security Act 1975, or".
1979 c. 48.	Pensioners' Payments and Social Security Act 1979.	The whole Act.
1980 c. 5.	Child Care Act 1980.	In section 25(2), the words from "less" to the end.
1980 c. 30.	Social Security Act 1980.	Section 1. Section 4(4). In section 5, in subsection (1) the words from "and in subsection (2)", in paragraph (i), to the end of the subsection and subsections (2) to (4). Section 7. In section 8, in subsection (1), the words "or 7". In section 9(7), the words "the Family Income Supplements Act 1970" and the words "and the Supplementary Benefits Act 1976". In section 10, in subsection (2) and in subsection (7), in the first place where they occur, the words "the Secretary of State or, as the case may be," and in subsection (7), the words "to the Secretary of State, or as the case may be," and paragraph (a). In section 14, subsection (6).

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		Section 15. In section 17(2), the words from “a tribunal” to the end. In section 18, in subsection (1), the words “the Family Income Supplements Act 1970;”, the words “the Supplementary Benefits Act 1976” and the word “and” immediately preceding them. Section 20(3). In Schedule 1, in paragraph 9, the words “or section 95(1) (b) or (c)” and paragraphs 10 and 12. In Schedule 2, paragraphs 1 to 20, and 22 to 30. In Schedule 3, in Part II, paragraphs 11, 15, 15B and 16 to 18.
1980 c. 39.	Social Security (No. 2) Act 1980.	Sections 1 and 2. In section 4(2), the words “and no earnings-related addition to a widow’s allowance”. Section 6.
1981 c. 33.	Social Security Act 1981.	Section 1. Section 4. In Schedule 1, paragraphs 1, 2, 3(b), 4, 5, 8 and 9.
1982 c. 24.	Social Security and Housing Benefits Act 1982.	Section 7(3) to (10). Section 8. Section 9(8) to (10). Sections 11 to 16. Sections 19 to 21. Section 25. Part II. Section 38. Section 41.

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		Section 42(1) and (2).
		Section 44(1)(a) and (f).
		In section 45, in subsection (1), the words from “and any power” to the end, in subsection (2), in paragraph (a), the words “7 or” and paragraphs (b) and (c) and subsection (3).
		In section 47 in the definition of “benefit”, the words “Part II and”.
		In Schedule 2, paragraph 6.
		Schedule 3.
		In Schedule 4, paragraphs 2, 4, 5, 14, 19, 22 to 28, 35(1) and (2) and 38.
1983 c. 36.	Social Security and Housing Benefits Act 1983.	The whole Act.
1983 c. 41.	Health and Social Services and Social Security Adjudications Act 1983.	Section 19(2).
		In Schedule 8, Parts III and IV and paragraphs 18 and 31(3).
		In Schedule 9, paragraph 20.
1984 c. 22.	Public Health (Control of Disease) Act 1984.	In section 46(5), the words from “less” to the end.
1984 c. 48.	Health and Social Security Act 1984.	Section 22.
		In section 27(2), the words “22 and”.
		In Schedule 4, in paragraph 3 the entry relating to section 79 and paragraphs 12 and 14.
		In Schedule 5, paragraphs 4 to 6.
1985 c. 53.	Social Security Act 1985.	Sections 15 to 17.
		Section 22.
		Section 27(8)(e).
		In section 32(2), the words “section 15” and the words

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		“section 22(1)(b) and (c) and (2)”.
		In Schedule 4, paragraph 2.
		In Schedule 5, paragraphs 6, 7, 10, 16, 19, 28, 37 and 38.
1985 c. 65.	Insolvency Act 1985.	In Part II of Schedule 4, the words in paragraph 3(2) (d) from the beginning to “1982”.
1985 c. 66.	Bankruptcy (Scotland) Act 1985.	In Schedule 3, paragraph 9(2) (d).
1986 c. 9.	Law Reform (Parent and Child) (Scotland) Act 1986.	In Schedule 1, paragraph 16.
		In Schedule 2, the entry relating to the Supplementary Benefits Act 1976.

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