

SCHEDULES

SCHEDULE 10

MINOR AND CONSEQUENTIAL AMENDMENTS

PART V

COMMON PROVISIONS

Social Security Act 1975 (c. 14)

83 In subsection (6)(aa) of section 14 of the Social Security Act 1975 (unemployment benefit and sickness benefit) and in subsection (4)(aa) of section 15 of that Act (invalidity pension) for the words " 126A of this Act" there shall be substituted the words "63(1)(d) of the Social Security Act 1986".

84 In subsection (1) of section 28 of that Act (Category A retirement pension) the words from " (subject" to " rule)) " shall be omitted.

85 The following subsection shall be substituted for subsection (3) of section 90 of that Act (obligations of claimant)—

“(3) The regulations relevant under subsection (2) above are—

(a) those made by virtue of the following provisions of this Chapter, namely—

(i) section 88(a), and

(ii) section 89(1) and (2); and

(b) those made by virtue of section 51(1)(h), (k) and (l) of the Social Security Act 1986.”.

86 In section 141(2) (reference of proposals to make regulations to Industrial Injuries Advisory Council) for the word " Where" there shall be substituted the words "Subject to section 61 of the Social Security Act 1986, where".

87 The following section shall be substituted for section 165A of that Act—

“165A General provision as to necessity of claim for entitlement to benefit.

(1) Except in such cases as may be prescribed, no person shall be entitled to any benefit unless, in addition to any other conditions relating to that benefit being satisfied—

(a) he makes a claim for it in the prescribed manner and within the prescribed time; or

(b) by virtue of regulations made under section 51 of the Social Security Act 1986 he is treated as making a claim for it.

Status: This is the original version (as it was originally enacted).

- (2) Where under subsection (1) above a person is required to make a claim or to be treated as making a claim for a benefit in order to be entitled to it—
- (a) if the benefit is a widow's payment, she shall not be entitled to it in respect of a death occurring more than twelve months before the date on which the claim is made or treated as made ; and
 - (b) if the benefit is any other benefit, except disablement benefit or reduced earnings allowance, the person shall not be entitled to it in respect of any period more than twelve months before that date.”.

88 The words ", reduced earnings allowance " shall be inserted in section 165A(3)(c), as originally enacted, after the words "disablement benefit ".

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 In paragraph 8 of Schedule 16 (exemption in respect of up-rating regulations from requirements to consult Industrial Injuries Advisory Council) for the words from " one or more " to the end there shall be substituted the words " one or more of the following provisions—

- (a) section 120 and 122 of this Act; and
- (b) section 63 of the Social Security Act 1986."