

SCHEDULES

SCHEDULE 4

MINOR AND CONSEQUENTIAL AMENDMENTS

Social Security Act 1975

- 3 The Social Security Act 1975 shall be amended as follows.
- 4 The following subsection shall be inserted after subsection (2) of section 17 (determination of days for which benefit is payable)—
- “(2A) Where it has been determined that a person is to be deemed in accordance with regulations to be available for employment in employed earner’s employment in respect of any day, the question of his actual availability for such employment in respect of that day may be subsequently determined on a review of the determination as to his deemed availability.”
- 5 In section 22 (maternity allowance)—
- (a) at the end of subsection (4) there shall be added the words “unless the woman is disqualified for receiving a maternity allowance in respect of that day by virtue of regulations under subsection (3)(a) above”; and
- (b) the following subsection shall be inserted after that subsection—
- “(4A) A woman who has become entitled to a maternity allowance shall cease to be entitled to it if she dies before the beginning of the maternity allowance period; and if she dies after the beginning, but before the end, of that period, the allowance shall not be payable for any week subsequent to that in which she dies.”
- 6 In section 44 (short-term benefit increase for adult dependants)—
- (a) in subsection (1)(b), for the words “is not engaged in any one or more employments from which her weekly earnings” there shall be substituted the words “does not have weekly earnings which”; and
- (b) in subsection (3)(a), for the words “is not engaged in any one or more employments from which his weekly earnings exceed the amount so specified” there shall be substituted the words “does not have weekly earnings which exceed the amount so specified”.
- 7 In section 45 (pension increase (wife))—
- (a) in subsection (2)(b), for the words “is not engaged in any one or more employments from which her weekly earnings” there shall be substituted the words “does not have weekly earnings which”; and
- (b) in subsection (2A), the words “is engaged in any one or more employments from which she” shall cease to have effect.
- 8 In section 45A (pension increase (husband))—

Status: This is the original version (as it was originally enacted).

- (a) in subsection (2)(b), for the words “is not engaged in any one or more employments from which his weekly earnings” there shall be substituted the words “does not have weekly earnings which”; and
 - (b) in subsection (3), the words “is engaged in any one or more employments from which he” shall cease to have effect.
- 9 In subsection (4) of section 46 (pension increase (female with care of children)) the words “from employment by the pensioner” shall cease to have effect.
- 10 In subsection (1)(a) of section 47 (invalidity pension (dependant relative)) for the words “is not engaged in any one or more employments from which he has earnings” there shall be substituted the words “does not have earnings”.
- 11 The following subsection shall be inserted after subsection (1) of section 50 (descriptions of industrial injuries benefits)—
- “(1A) The benefits are—
- (a) disablement benefit (including disablement pensions) payable in accordance with sections 57 to 63 below;
 - (b) reduced earnings allowance payable in accordance with section 59A below and section 2 of the Social Security Act 1988;
 - (c) retirement allowance payable in accordance with section 59B below;
 - (d) industrial death benefit, payable in accordance with sections 67 to 75 below.”
- 12 In section 59A (reduced earnings allowance)—
- (a) in subsection (8), after the words “disablement pension”, in the second place where they occur, there shall be inserted the words “(not including increases in disablement pension under any provision of this Act)”; and
 - (b) the following subsection shall be inserted after subsection (10) of section 59A (reduced earnings allowance)—
- “(10A) In this section and section 59B below “maximum rate of a disablement pension” means the rate specified in the first entry in column (2) of Schedule 4, Part V, paragraph 3 and does not include increases in disablement pension under any provision of this Act.”
- 13 In section 66 (adult dependants) there shall cease to have effect—
- (a) in subsection (3), the words “from any one or more employments”; and
 - (b) in subsection (4) the words “is engaged in any one or more employments from which he or she”.
- 14 At the end of subsection (1)(c) of section 104 (review of decisions) there shall be added “or
- (d) the decision falls to be reviewed under section 17(2A) above,”.