

SCHEDULES

SCHEDULE 7

Section 26.

PRE-CONSOLIDATION AMENDMENTS

Social Security Act 1973 (c. 38)

- 1 In section 58(2) of the 1973 Act (linked qualifying service) the word “and” shall be inserted at the end of paragraph (a).

Social Security Act 1975 (c. 14)

- 2 (1) In section 4 of the principal Act, for subsection (3) (persons liable to pay Class 1 contributions) there shall be substituted the following—

“(3) The primary and secondary contributions referred to in subsection (2) above are payable as follows—

- (a) the primary contribution shall be the liability of the earner; and
- (b) the secondary contribution shall be the liability of the secondary contributor;

but nothing in this subsection shall prejudice the provisions of paragraph 3 of Schedule 1 to this Act relating to the manner in which the earner’s liability falls to be discharged.”

- (2) In subsection (6C) of that section (amount of secondary Class 1 contribution) for the words “the amount of a secondary Class 1 contribution” there shall be substituted the words “where a secondary Class 1 contribution is payable, the amount of that contribution”.

- 3 In section 7A(3) of that Act (late paid Class 2 contributions)—

- (a) the words “Class 2” shall be omitted in each place where they occur;
- (b) for the words “from the week” there shall be substituted the words “beginning with the week”; and
- (c) for the words “to the day” there shall be substituted the words “and ending with the day”.

- 4 In section 8(2C) of that Act (late paid Class 3 contributions) for the words “any amount” there shall be substituted the words “any other amount”.

- 5 In section 9 of that Act (Class 4 contributions recoverable under Tax Acts)—

- (a) in subsection (1), after “payable”, where first occurring, there shall be inserted the words “for any tax year”;
- (b) in that subsection, for the words from “any year” to “1975” there shall be substituted the words “the year of assessment corresponding to that tax year”; and
- (c) after that subsection there shall be inserted the following paragraph—

Status: This is the original version (as it was originally enacted).

“For the purposes of this section the year of assessment which corresponds to a tax year is the year of assessment (within the meaning of the Tax Acts) which consists of the same period as that tax year.”

6 In section 12(1) of that Act (contributory benefits) for paragraph (d) there shall be substituted—

“(d) maternity allowance (with increase for adult dependants)”.

7 In section 13(5) of that Act (earnings factors) as it has effect in relation to tax years before 1987-88, for the words “shall be derived” there shall be substituted the words “may be derived”.

8 In section 24 of that Act (widow’s payment), as substituted by the 1986 Act, the following subsection shall be added at the end—

“(3) A widow’s payment is payable only in cases where the husband dies after the coming into force of section 36 of the Social Security Act 1986.”

9 In section 30(6)(b) of that Act (amendment of provisions relating to earnings after retirement age) for the words “36(5)” there shall be substituted the words “36(8)”.

10 In section 37(6) of that Act (invalid care allowance) for the words “so be so” there shall be substituted the words “to be so”.

11 In section 48(3)(a) of that Act (sequence in which certain reductions of Category A pensions are to be made) for the words “45(3)” there shall be substituted the words “45(2A)”.

12 In section 57(4) of that Act (90 day waiting period for disablement benefit) for the words “Disablement benefit shall not be available to a person” there shall be substituted the words “A person shall not be entitled to disablement benefit”.

13 In section 59A(1) of that Act, at the end of paragraph (a), there shall be added the word “and”.

14 In section 106(1)(a) of that Act (review of decisions of Attendance Allowance Board), for the words “paragraph or paragraph (b) below” there shall be substituted the word “subsection”.

15 In section 134(2) of that Act (destination of contributions etc) for the words “section 9(4)” there shall be substituted the words “section 9(5)”.

16 In Schedule 3 to that Act (contribution conditions for entitlement to benefit) in paragraph 8 (satisfaction in early years) in sub-paragraph (1), after the words “short-term benefit” there shall be inserted the words “or a widow’s payment”.

17 In sub-paragraph (5) of paragraph 2 of Schedule 12 to that Act (constitution of medical appeal tribunals) for the words “to the panel mentioned in sub-paragraph (4)” there shall be substituted the words “chairman of a tribunal under sub-paragraph (4)(a)”.

18 In Schedule 20 to that Act (glossary of expressions) in the definition of “week” the words “midnight between Saturday and” shall be omitted.

Social Security Pensions Act 1975 (c. 60)

19 In section 6 of the Pensions Act (rate of Category A retirement pension) the word “References” shall be inserted at the beginning of subsection (5).

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

20 (1) In section 15 of the Pensions Act (invalidity pension for widows) after subsection (1) there shall be inserted the following subsection—

“(1A) This section does not apply to a woman unless—

- (a) her husband died after 5th April 1979; or
- (b) she ceased to be entitled to a widowed mother’s allowance after that date (whenever her husband died).”

(2) In consequence of sub-paragraph (1) above, paragraph 17 of Schedule 1 to the Social Security Act 1979 shall cease to have effect.

21 In section 43(2A) of that Act (linked qualifying service)—

- (a) the word “and” shall be inserted at the end of paragraph (a); and
- (b) in paragraph (b), for the words “transfer of” there shall be substituted the words “the transfer of”.

Child Benefit Act 1975 (c. 61)

22 In section 6(1) of the Child Benefit Act 1975 (necessity for claim) for the words following “claims it” there shall be substituted the words “in the manner, and within the time, prescribed in relation to child benefit by regulations under section 51 of the Social Security Act 1986”.

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

23 In section 27 of the 1982 Act (statutory sick pay: Crown employment) the following subsection shall be added at the end—

“(3) For the purposes of this section Her Majesty’s forces shall be taken to consist of such establishments and organisations as may be prescribed, being establishments and organisations in which persons serve under the control of the Defence Council.”

24 In section 44 of that Act (territorial waters) subsection (3) (which is spent) and subsection (4) (which is of no further practical utility) shall be omitted.

Social Security Act 1986 (c. 50)

25 In section 47(7)(b)(i) of the 1986 Act (the maternity pay period) for the words “between the 11th and 6th weeks before” there shall be substituted the words “during the period beginning with the 11th week, and ending with the 7th week, before”.

26 In section 50(1) of that Act (definitions relating to statutory maternity pay) in the definition of “week” the words “midnight between Saturday and” shall be omitted.

27 In section 61 of that Act (consultations about subordinate legislation) for subsection (3) there shall be substituted the following—

“(3) Where the Secretary of State has referred proposals to the Committee, the Council or the Board, he may make the proposed regulations before they have made their report, or, in the case of the Council, given their advice, only if after the reference it appears to him that by reason of the urgency of the matter it is expedient to do so.”

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

- 28 In paragraph 3(3) of Schedule 6 to that Act (Christmas bonus for pensioners) paragraph (c) shall be omitted.