



Social Security Act 1990

1990 CHAPTER 27

Benefits

10 Amendments relating to the social fund

(1) In section 32 of the 1986 Act, after subsection (8D) there shall be inserted—

“(8E) The Secretary of State may give general directions to social fund officers or groups of social fund officers, or to any class of social fund officers, with respect to the control and management by social fund officers or groups of social fund officers of the amounts allocated to them under subsections (8A) to (8D) above.”

(2) In subsection (10) of that section (power to nominate a social fund officer to issue guidance to other officers in his area on specified matters) for the words “to issue” there shall be substituted the words “who shall issue”.

(3) In section 33 of that Act, after subsection (10) (questions to be determined in accordance with general directions) there shall be inserted—

“(10ZA) Without prejudice to the generality of subsection (10) above, the Secretary of State may issue directions under that subsection for the purpose of securing that a social fund officer or group of social fund officers shall not in any specified period make awards of any specified description which in the aggregate exceed the amount, or a specified portion of the amount, allocated to that officer or group of officers under section 32(8A) to (8D) above for payments under awards of that description in that period.”

(4) In subsection (10A) of that section (which specifies certain matters with respect to which directions may be given) after paragraph (e) there shall be inserted—

“(f) that a social fund payment such as is mentioned in section 32(2)(b) above shall only be awarded to a person if either—

(i) he is in receipt of a benefit under the benefit Acts which is specified in the direction and the circumstances are such as are so specified; or

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(ii) in a case where the conditions specified in sub-paragraph (i) above are not satisfied, the circumstances are such as are specified in the direction;”.

(5) At the end of that section there shall be added—

“(13) The Secretary of State may by regulations—

- (a) make provision with respect to the time at which an application for a social fund payment such as is mentioned in section 32(2)(b) above is to be treated as made;
- (b) prescribe conditions that must be satisfied before any determination in connection with such an application may be made or any award of such a payment may be paid;
- (c) prescribe circumstances in which such an award becomes extinguished.”