



# Social Security (Mortgage Interest Payments) Act 1992

## 1992 CHAPTER 33

An Act to make provision for requiring, in certain cases where interest on a loan secured on land is payable by a person who is entitled, or whose partner, former partner or qualifying associate is entitled, to income support, the applicable amount in respect of which includes a sum in respect of that interest, that a part of the benefits to which any of those persons is entitled under the enactments relating to social security shall be paid directly to the lender and applied towards the discharge of the liability in respect of the interest; and for purposes connected therewith. [16th March 1992]

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:—

### Extent Information

**E1** Act extends to Great Britain but for exceptions to this see [s. 2\(8\)](#)

### Commencement Information

**I1** Act wholly in force at Royal Assent

### <sup>F1</sup> **Payment out of benefit of sums in respect of mortgage interest etc.**

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### Textual Amendments

**F1** [S. 1](#) repealed (6.4.2018) by [Welfare Reform and Work Act 2016 \(c. 7\)](#), [ss. 20\(11\)\(a\)\(i\)](#), 36(6); S.I. 2018/438, [reg. 2\(1\)](#) (with [reg. 2\(2\)\(3\)](#))

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*Status: Point in time view as at 06/04/2018.*

*Changes to legislation: There are currently no known outstanding effects for the Social Security (Mortgage Interest Payments) Act 1992. (See end of Document for details)*

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## 2 Short title, supplementary provisions and extent.

- (1) This Act may be cited as the Social Security (Mortgage Interest Payments) Act 1992.
- (2) Any administrative expenses incurred by a Minister of the Crown in consequence of this Act shall be defrayed out of money provided by Parliament.
- (3) Any sums recovered by a Minister of the Crown by virtue of this Act shall be paid—
  - (a) into the Consolidated Fund, to the extent that the Secretary of State estimates that those sums relate to payments out of money provided by Parliament; and
  - (b) into the National Insurance Fund, to the extent that he estimates that they relate to payments out of that Fund;
 and any other sums received by a Minister of the Crown by virtue of this Act shall be paid into the Consolidated Fund.
- (4) The Secretary of State may by regulations make such transitional or consequential provision, and such savings, as he considers necessary or expedient for, or in connection with, the coming into force of any provision of this Act.
- (5) Subsections (1) to (3A) of section 166 of the <sup>M1</sup>Social Security Act 1975 (general provisions about regulations and orders) shall apply in relation to the powers to make regulations conferred by subsection (4) above as they apply in relation to any power conferred by that Act to make regulations, but as if for references to that Act there were substituted references to that subsection.
- (6) A statutory instrument—
  - (a) which contains (whether alone or with other provisions) any regulations made under subsection (4) above, 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.
- (7) An Order in Council under paragraph 1(1)(b) of Schedule 1 to the <sup>M2</sup>Northern Ireland Act 1974 (legislation for Northern Ireland in the interim period) which states that it is made only for purposes corresponding to those of this Act—
  - (a) shall not be subject to paragraph 1(4) and (5) of that Schedule (affirmative resolution of both Houses of Parliament); but
  - (b) shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (8) Subsections (1) and (7) above and this subsection extend to Northern Ireland; but, except as provided by this subsection, this Act does not extend to Northern Ireland.

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### Marginal Citations

**M1** 1975 c. 14.

**M2** 1974 c. 28.

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## SCHEDULE

Section 1(2).

### CORRESPONDING AMENDMENT OF THE SOCIAL SECURITY ADMINISTRATION ACT 1992

**F2** .....

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#### **Textual Amendments**

**F2** Sch. repealed (6.4.2018) by Welfare Reform and Work Act 2016 (c. 7), ss. 20(11)(a)(ii), 36(6); S.I. 2018/438, reg. 2(1) (with reg. 2(2)(3))

**Status:**

Point in time view as at 06/04/2018.

**Changes to legislation:**

There are currently no known outstanding effects for the Social Security (Mortgage Interest Payments) Act 1992.