

SCHEDULES

SCHEDULE 3

TRANSITIONAL PROVISIONS AND SAVINGS (INCLUDING SOME TRANSITIONAL PROVISIONS RETAINED FROM PREVIOUS ACTS)

PART II

SPECIFIC TRANSITIONAL PROVISIONS AND SAVINGS (INCLUDING SOME DERIVED FROM PREVIOUS ACTS)

Supersession of National Insurance Acts - provisions derived from Schedule 3 to former Consequential Provisions Act

- 12 Regulations may provide that, in relation to—
- (a) persons who ceased by virtue of paragraph 2 of Schedule 3 to the former Consequential Provisions Act to be insured under the 1965 Act,
 - (b) persons to or in respect of whom benefit under that Act was, or but for a disqualification or forfeiture would have been, payable immediately before 6th April 1975, and
 - (c) persons who had a prospective right to, or expectation of, any benefit under that Act immediately before that day,
- the Contributions and Benefits Act and the Administration Act (so far as they represent provisions of the 1973 Act) shall have effect subject to such modifications as may be prescribed with a view to securing continuity of the law.
- 13 Without prejudice to the generality of the powers conferred by paragraph 12 above, regulations under that paragraph may in particular provide for the taking into account, for such purposes and in such manner and subject to such conditions as may be prescribed, of contributions paid or credited or deemed to be, or treated as, paid or credited under the 1965 Act or the National Insurance Act 1946 or any enactment repealed by that Act.
- 14 Regulations may provide that the Contributions and Benefits Act and the Administration Act (so far as they represent the 1973 Act) and this Part of this Schedule (except this paragraph) shall have effect subject to prescribed modifications in relation to persons who attained the age of 16 before 6th April 1975 and who, immediately before that day, were not insured under the 1965 Act.
- 15 Notwithstanding any repeal effected by the 1973 Act, provision may be made by regulations for continuing in force, with or without prescribed modifications, such provisions of the 1965 Act or any other enactments specified in the third column of Schedule 28 to the 1973 Act (repeals) as the Secretary of State considers appropriate for the purpose of preserving rights to benefit under that Act or those enactments in those cases (if any) in which in his opinion adequate alternative rights to benefit under the Contributions and Benefits Act are not conferred in pursuance

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

of paragraph 12 above, or for temporarily retaining the effect of those provisions for transitional purposes.

- 16 In the foregoing provisions of this Part of this Schedule, any reference to benefit under the 1965 Act includes a reference to such other benefit, pension or allowance as is mentioned in paragraph 17(2)(b) of Schedule 11 to that Act (pre-1948 beneficiaries).
- 17 (1) Any instrument (except regulations, an Order in Council or another order) and any appointment which is in force immediately before 1st July 1992 and was made or has effect as if made under an enactment repealed by the 1973 Act shall, in so far as a corresponding instrument or appointment is capable of being made under any provision of the Contributions and Benefits Act or the Administration Act representing a provision in the 1973 Act, be deemed to be so made except to the extent that regulations otherwise provide.
- (2) A reference in any document to an enactment repealed and re-enacted by the 1973 Act with or without modifications shall, in so far as the context permits, be construed as a reference to the Contributions and Benefits Act or, as the case may be, the Administration Act or to the corresponding enactment therein.