

SCHEDULES

SCHEDULE 3

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

PART I

GENERAL AND MISCELLANEOUS

Questions relating to contributions and benefits

- 1 (1) A question other than a question arising under any of sections 1 to 3 of the Administration Act—
- (a) whether a person is entitled to benefit in respect of a time before 1st July 1992;
 - (b) whether a person is liable to pay contributions in respect of such a time, and any other question not arising under any of those sections with respect to benefit or contributions in respect of such a time is to be determined, subject to section 66 of the Administration Act, in accordance with provisions in force or deemed to be in force at that time.
- (2) Subject to sub-paragraph (1) above, the consolidating Acts apply to matters arising before their commencement as to matters arising after it.

General saving for old savings

- 2 The repeal by this Act of an enactment previously repealed subject to savings (whether or not in the repealing enactment) does not affect the continued operation of those savings.

Documents referring to repealed enactments

- 3 Any document made, served or issued after this Act comes into force which contains a reference to any of the repealed enactments shall be construed, except so far as a contrary intention appears, as referring or, as the context may require, including a reference to the corresponding provision of the consolidating Acts.

Provisions relating to the coming into force of other provisions

- 4 The repeal by this Act of a provision providing for or relating to the coming into force of a provision reproduced in the consolidating Acts does not affect the operation of the first provision, in so far as it remains capable of having effect, in relation to the enactment reproducing the second provision.

Continuing powers to make transitional, etc. regulations

- 5 Where immediately before 1st July 1992 the Department of Health and Social Services for Northern Ireland (hereafter in this Schedule referred to as “the Department”) has power under any provision of the Social Security (Northern Ireland) Acts 1975 to 1991 not reproduced in the consolidating Acts by regulations to make provision or savings in preparation for or in connection with the coming into force of a provision repealed by this Act but reproduced in the consolidating Acts, the power shall be construed as having effect in relation to the provision reproducing the repealed provision.
- 6 The repeal by this Act of a power by regulations to make provision or savings in preparation for or in connection with the coming into force of a provision reproduced in the consolidating Acts does not affect the power, in so far as it remains capable of having effect, in relation to the enactment reproducing the second provision.

Provisions contained in enactments by virtue of orders or regulations

- 7 (1) Without prejudice to any express provision in the consolidating Acts, where this Act repeals any provision contained in any enactment by virtue of any order or regulations and the provision is reproduced in the consolidating Acts, the Department shall have the like power to make orders or regulations repealing or amending the provision of the consolidating Acts which reproduces the effect of the repealed provision as the Department had in relation to that provision.
- (2) Sub-paragraph (1) above applies to a repealed provision which was amended by Schedule 7 to the Social Security (Northern Ireland) Order 1989 as it applies to a provision not so amended.

Amending orders made after passing of Act

- 8 An order which is made under any of the repealed enactments after the passing of this Act and which amends any of the repealed enactments shall have the effect also of making a corresponding amendment of the consolidating Acts.