
Changes to legislation: There are currently no known outstanding effects for the Health and Social Care Act 2008, Cross Heading: Transitional cases under paragraph 19(1) of Schedule 6 to the 1948 Act. (See end of Document for details)

SCHEDULES

SCHEDULE 13

TRANSITIONAL PROVISIONS RELATING TO S. 147

Transitional cases under paragraph 19(1) of Schedule 6 to the 1948 Act

- 6 (1) Sub-paragraphs (2) and (3) apply where—
- (a) a person was by virtue of an enactment repealed by the 1948 Act under a liability (whether under an order of a court or otherwise) to maintain another person,
 - (b) on the repeal of that enactment by the 1948 Act, that liability was saved by the operation of section 38(2) of the Interpretation Act 1889 (c. 63), and
 - (c) paragraph 19(1) of Schedule 6 to the 1948 Act (which ended a saved liability to maintain a person where there was no liability to maintain that person for the purposes of the 1948 Act) did not have effect to end that liability.
- (2) If that liability has not come to an end before the appointed day, it comes to an end as from the beginning of that day; but this is subject to sub-paragraph (3).
- (3) Where that liability is brought to an end by this Act and an order of a court made before the appointed day requires the making of payments on account of that liability, this Act—
- (a) does not end liability to make payments under the order that should have been (but were not) made before the appointed day, and
 - (b) does not prevent enforcement after the appointed day (whether by proceedings or otherwise) of the order so far as it relates to payments required by it to be made before the appointed day.
- (4) In this paragraph “the appointed day” means the day appointed under this Act for the coming into force of section 147(1)(e).

Commencement Information

- 11** Sch. 13 para. 6 in force at 6.4.2009 except in relation to local authorities in W. by S.I. 2009/462, art. 4(b)
- 12** Sch. 13 para. 6 in force at 6.4.2009 for W. by S.I. 2009/631, art. 2(b)

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