

1974 No. 164 (C. 3)**SOCIAL SECURITY****The Social Security Act 1973 (Commencement No. 3)****Order 1974**

<i>Made</i>	- - -	<i>5th February 1974</i>
<i>Laid before Parliament</i>		<i>7th February 1974</i>
<i>Coming into Operation</i>		<i>28th February 1974</i>

The Secretary of State for Social Services, in exercise of powers conferred by section 101 of the Social Security Act 1973(a), hereby makes the following order:—

Citation and commencement

1. This order may be cited as the Social Security Act 1973 (Commencement No. 3) Order 1974 and shall come into operation on 28th February 1974.

Appointed days

2.—(1) Save as is provided in paragraph (2) of this article and in article 3 of this order, the day appointed for the coming into operation of all the provisions of the Social Security Act 1973 for which no day has previously been appointed (b) other than those set out in Schedule 1 to this order shall be 6th April 1975.

(2) The day appointed by paragraph (1) of this article for the coming into operation of section 12(3) of the Social Security Act 1973 is appointed only for the purposes of earnings-related supplement under section 10(8) of that Act and for no other purposes of Chapter II of that Act.

3. The day appointed for the coming into operation of each of the provisions of the Social Security Act 1973 specified in column 1 of Schedule 2 to this order shall be the date specified in column 3 of that Schedule in relation to that provision.

Specification of “the appointed day”

4. Where any provision which is brought into operation by this order contains a reference to “the appointed day” that day shall be the day on which the provision containing such reference comes into operation.

(a) 1973 c.38.

(b) For days previously appointed see S.I. 1973/1249, 1433 (1973 II, pp. 3703, 4383).

Continued operation of provisions as to accounts

5.—(1) Notwithstanding the coming into operation by virtue of article 3 of and Schedule 2 to this order of the repeal of section 83(4) and (6) of the National Insurance Act 1965(a) and section 81(4) and (6) of the National Insurance (Northern Ireland) Act 1966(b) those subsections shall continue, for the purpose of their application by section 84(2) and 82(2) of those Acts respectively to the National Insurance (Reserve) Fund, to have effect as if the date appointed for the coming into operation of section 100(2)(b) of the Social Security Act 1973 in relation to those repeals were 1st April 1976.

(2) Until 1st April 1976 section 94(7) of the Social Security Act 1973 (reference to Industrial Injuries Fund) shall not apply to the references to the Industrial Injuries Fund in section 59(2) and (4) of the National Insurance (Industrial Injuries) Act 1965(c) and section 57(2) and (4) of the National Insurance (Industrial Injuries) Act (Northern Ireland) 1966(d).

Keith Joseph,

Secretary of State for Social Services.

5th February 1974.

(a) 1965 c.51.
(d) 1966 c.9 (N.I.).

(b) 1966 c.6 (N.I.).

(c) 1965 c.52.

ARTICLE 2(1)

SCHEDULE 1

Provisions of the Social Security Act 1973 for which no day of coming into operation is appointed.

Provision of the Act	Subject matter
Section 66(6)	Occupational Pensions Board annual report
Section 69(7) and Section 100(2) in relation only to the following provisions: The first entry in Part I, and the first entry in Part II, of Schedule 28	Repeal of provisions of The Superannuation and other Trust Funds (Validation) Act 1927(a) and of The Superannuation and other Trust Funds (Validation) Act (Northern Ireland) 1928(b)
Section 76	Reserve Pension Board annual report

(a) 17 & 18 Geo. 5. c. 41.

(b) 18 & 19 Geo. 5. c.6 (N.I.).

ARTICLE 3

SCHEDULE 2

Provisions of the Social Security Act 1973 for which a day other than 6th April 1975 is appointed as the day of coming into operation.

Provision of the Act 1	Subject matter 2	Appointed day 3
Section 7	Annual review of contributions	6th April 1974
Section 8	Additional power to alter figures in sections 2 to 5	6th April 1974
Section 39	Annual review of benefits for purpose of up-rating	6th April 1974
Section 44(2) to (5)	Winding-up of Industrial Injuries Fund and National Insurance (Reserve) Fund; accounts and investments of National Insurance Fund	1st April 1975
Section 46(2) in relation only to expenses of carrying the Act into operation	Payment of expenses and certain benefits out of money provided by Parliament	28th February 1974
Section 46(4)	Payment of certain expenses out of National Insurance Fund into Consolidated Fund	28th February 1974
Section 49(1) and Schedule 13	Application of Part I of the Act to Northern Ireland	28th February 1974
Section 49(2)	Orders of Northern Ireland Ministry corresponding to orders under sections 7, 8 and 39 of the Act	6th April 1974
Section 49(3) to (6) and Schedule 14	Establishment, functions and constitution of Joint Authority	28th February 1974
Section 94(7)	Reference to Industrial Injuries Fund	1st April 1975
Section 94(9)	Regulations not subject to Industrial Injuries Advisory Council	28th February 1974

Provision of the Act 1	Subject matter 2	Appointed day 3
Section 95 (so far as no day has previously been appointed for its coming into operation) and Schedule 25, paragraphs 1 to 11, 15 and 16	Application of certain provisions to, and powers of the Parliament of, Northern Ireland, and adaptation of certain provisions of Part IV of the Social Security Act for Northern Ireland	28th February 1974
Section 100(1) in relation only to the following provisions: Schedule 26, paragraphs 2(2) to 7	Transitional provisions	28th February 1974
Section 100(2)(b) in relation only to the following provisions: In Schedule 28, Part I, the entries relating to sections 83(1)(c), 83(2) to (6), 84(1), 84(2) (insofar as it applies section 83(3) and (5)) and 84(3) to (5) of the National Insurance Act 1965 and section 59(3) of the National Insurance (Industrial Injuries) Act 1965; In Schedule 28, Part II, the entries relating to sections 81(1)(c), 81(2) to (6), 82(1), 82(2) (insofar as it applies section 81(3) and (5)) and 82(3) to (5) of the National Insurance Act (Northern Ireland) 1966 and section 57(3) of the National Insurance (Industrial Injuries) Act (Northern Ireland) 1966	Repeal of certain provisions relating to the Industrial Injuries Fund, the National Insurance (Reserve) Fund and the corresponding Northern Ireland Funds	1st April 1975
Section 100(2)(b) in relation only to the following provisions: In Schedule 28, Part I, the entries relating to	Repeal of certain provisions relating to the Industrial Injuries Fund, the National Insurance (Reserve) Fund and the	1st April 1976

Provision of the Act 1	Subject matter 2	Appointed day 3
<p>section 84(2) of the National Insurance Act 1965 (insofar as it applies section 83(4) and (6)) and section 59(2) and (4) of the National Insurance (Industrial Injuries) Act 1965;</p> <p>In Schedule 28, Part II, the entries relating to section 82(2) of the National Insurance Act (Northern Ireland) 1966 (insofar as it applies section 81(4) and (6)) and section 57(2) and (4) of the National Insurance (Industrial Injuries) Act (Northern Ireland) 1966</p>	<p>corresponding Northern Ireland Funds</p>	
<p>Section 100(2)(b) in relation only to the following provisions:</p> <p>In Schedule 28, Part I, the entries relating to sections 86 and 87 of the National Insurance Act 1965 and section 60 of the National Insurance (Industrial Injuries) Act 1965;</p> <p>In Schedule 28, Part II, the entries relating to section 84 of the National Insurance Act (Northern Ireland) 1966 and section 58 of the National Insurance (Industrial Injuries) Act (Northern Ireland) 1966</p>	<p>Repeal of certain provisions relating to reports on and reviews of the operation of the National Insurance and National Insurance (Industrial Injuries) Acts and the corresponding Northern Ireland Acts</p>	<p>1st April 1974</p>
<p>Section 100(2)(b) in relation only to the following provisions:</p> <p>In Schedule 28, Part I, the entries relating to section 104(3) of and Schedule 10 to the National Insurance Act 1965</p>	<p>Repeal of provisions relating to constitution etc. of Joint Authority</p>	<p>28th February 1974</p>

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order appoints the dates for the coming into operation of all provisions of the Social Security Act 1973 for which dates have not been appointed by previous Orders, except for those specified in Schedule 1. The exceptions relate to the annual reports of the Occupational Pensions Board and the Reserve Pension Board, and the repeal of certain provisions relating to Superannuation and other Trust Funds.

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