

1986 No. 1609 (C.58)**SOCIAL SECURITY****The Social Security Act 1986 (Commencement No. 1) Order 1986**

Made - - - - - 15th September 1986

The Secretary of State for Social Services, in exercise of the powers conferred on him by sections 83(1) and 88(1) of the Social Security Act 1986^(a), and of all other powers enabling him in that behalf, hereby makes the following order:—

Citation

1. This order may be cited as the Social Security Act 1986 (Commencement No. 1) Order 1986.

Appointed day for the provisions specified in the Schedule

2. The day appointed for the coming into force of the provisions of the Social Security Act 1986 ("the Act") specified in the Schedule to this order is 1st October 1986.

Appointed day for sections 42, 43 and 44

3.—(1) Subject to the exceptional provision in paragraphs (2) and (3) of this article, the day appointed for the coming into force of sections 42 to 44 of the Act (abolition of reduced rate of short-term benefits, unemployment benefit—disqualification and unemployment benefit—trade disputes) and the repeal, by section 86(2) of, and Schedule 11 to, the Act, of paragraphs (a) to (c) of section 33(1) of the Social Security Act 1975^(b) (reduced rate of short-term benefits payable on partial satisfaction of contribution conditions) is 5th October 1986.

(2) In the case of a person whose days of unemployment, days of incapacity for work or maternity allowance period form part of a period of interruption of employment which began before 5th October 1986, section 33(1)(a) to (c) of the Social Security Act 1975 shall continue in force until either the end of that period of interruption of employment or 4th October 1987, whichever is the earlier.

(3) In the case of a person who, on or after 5th October 1986, has a day of incapacity for work which—

(a) is, or forms part of, a period of interruption of employment, and

^(a) 1986 c. 50; section 83(1) provides for section 166(1) to (3A) of the Social Security Act 1975 (c. 14) (extent of powers) to apply to the powers conferred by section 88(1).

^(b) 1975 c. 14.

- (b) falls within the period of 57 days immediately following the end of a period of entitlement to statutory sick pay which contains at least one day in the period between 10th August and 4th October 1986 (both dates included);

section 33(1)(b) of the Social Security Act 1975 shall continue in force until either the end of that period of interruption of employment or 4th October 1987, whichever is the earlier.

Signed by authority of the Secretary of State for Social Services.

John Major,
Minister of State,
Department of Health and Social Security.

15th September 1986.

SCHEDULE

Article 2

| Provision of the Social Security Act 1986 | Subject matter |
|--|--|
| Section 51(1)(b), (c), (d) and (e), so far as they relate to claims for mobility allowance | Claims for mobility allowance |
| Section 62 | Subordinate legislation—miscellaneous |
| Section 67(1) | Rates of statutory sick pay |
| Section 71(1) to (3) | Entitlement to mobility allowance |
| Schedule 3 in the respects specified below and section 39, so far as it relates to them— paragraphs 1, 2 and 3, paragraph 5(1), to the extent that it inserts a new section 59A(1) to (9) into the Social Security Act 1975, paragraphs 5(2), 13, 14, 15 and 17 | Industrial injuries and diseases |
| Schedule 10 in the respects specified below and section 86(1) so far as it relates to them— paragraphs 68 and 88 paragraphs 83, 84, 89, 90, 91, 92, 93, 95, 97, 100 paragraph 104 paragraph 105 | Minor and consequential amendments (industrial injuries and diseases) (retirement pensions and the annual uprating of benefits) (contributions) (supplementary benefit and trade disputes) |

| | |
|---|---|
| The following repeals in Schedule 11 and section 86(2) so far as it relates to them— | Repeals |
| (a) The provisions of the Statute Law Revision (Consequential Repeals) Act 1965 (a) | (obsolete enactment) |
| (b) The provisions of the Social Security Act 1975 specified below— | |
| (i) In section 28(1), the words from “(subject” to “rule))” | (retirement pensions) |
| (ii) sections 12(3), 34(2), 37A(4), 124 to 126A, Schedule 14 and, in Schedule 20, the definition of “Up-rating order” | (annual uprating) |
| (iii) section 37A(7) | (mobility allowance) |
| (iv) sections 57(5) and 60 | (industrial injuries and diseases) |
| (c) sections 22(3) and (5), 23(1) and (5) of the Social Security Pensions Act 1975 (b) | (claims for mobility allowance and annual uprating) |
| (d) sections 5(5) and 17(3) and (4) of the Child Benefit Act 1975 (c) | (annual uprating) |
| (e) Section 13 of the Social Security Act 1979 (d) | (annual uprating) |
| (f) Section 1 of the Social Security Act 1980 (e) | (annual uprating) |
| (g) Sections 1 and 2 of the Social Security (No. 2) Act 1980 (f) | (annual uprating) |
| (h) Section 1 of the Social Security Act 1981 (g) | (annual uprating) |
| (i) Sections 7(3) to (10) and 42(1) and (2) of the Social Security and Housing Benefits Act 1982 (h) | (annual uprating) |
| (j) Social Security and Housing Benefits Act 1983 (i) | (annual uprating) |
| (k) Sections 15 and 16 and paragraph 10 of Schedule 5 to the Social Security Act 1985 (j) | (annual uprating) |

(a) 1965 c. 55.**(d)** 1979 c. 18.**(g)** 1981 c. 33.**(j)** 1985 c. 53.**(b)** 1975 c. 60.**(e)** 1980 c. 30.**(h)** 1982 c. 24.**(c)** 1975 c. 61.**(f)** 1980 c. 39.**(i)** 1983 c. 36.

EXPLANATORY NOTE

(This Note is not part of the Order.)

Article 2 of this order brings into force on 1st October 1986 the provisions of the Social Security Act 1986 which are specified in the Schedule to the order, including—

- section 62 (subordinate legislation—miscellaneous)
- section 67(1) (rates of statutory sick pay)
- section 71(1) to (3) (entitlement to mobility allowance)
- Schedule 3 (in part) (industrial injuries and diseases)

and consequential amendments and repeals.

Article 3 brings into force on 5th October 1986:

- section 42 (abolition of reduced rate of short-term benefits)
- section 43 (unemployment benefit—disqualification) and
- section 44 (unemployment benefit—trade disputes)

but delays until up to 4th October 1987 the effect of section 42 in certain cases.

SI 1986/1609
ISBN 0-11-067609-2

