

1988 No. 520

FOOD

**NATIONAL HEALTH SERVICE, ENGLAND AND
WALES**

NATIONAL HEALTH SERVICE, SCOTLAND

SOCIAL SECURITY

**The Social Security Act 1988 (Commencement No. 1)
Order 1988**

Made - - - - 16th March 1988

The Secretary of State for Social Services, in exercise of the powers conferred on him by section 18(3) of the Social Security Act 1988(a) and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation and interpretation

1.—(1) This Order may be cited as the Social Security Act 1988 (Commencement No. 1) Order 1988.

(2) In this Order, unless the context otherwise requires, references to sections and Schedules are references to sections of and Schedules to the Social Security Act 1988.

Appointed days

2. The day appointed for the coming into force of—

- (a) the provisions of the Social Security Act 1988 specified in Part I of the Schedule to this Order, is 17th March 1988;
- (b) Schedule 4, paragraph 20 (housing benefit finance) and section 16(1) (minor and consequential amendments) in so far as it relates to it, is 1st April 1988;
- (c) the provisions of the Social Security Act 1988 specified in Part II of the Schedule to this Order, is 6th April 1988;
- (d) the provisions of that Act specified in Part III of the Schedule to this Order, is 11th April 1988;
- (e) section 6 (contribution conditions for short-term benefits), and section 16(2) in so far as it relates to the repeals in Schedule 5 of provisions in Schedule 3 to the Social Security Act 1975(b), is 2nd October 1988; and
- (f) section 7 (unemployment benefit and occupational pensions), is 1st January 1989.

(a) 1988 c.7.

(b) 1975 c.14.

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

Nicholas Scott
Minister of State,

16th March 1988

Department of Health and Social Security

SCHEDULE

Article 2

PART I

(PROVISIONS COMING INTO FORCE ON 17TH MARCH 1988)

<i>Provisions of the Social Security Act 1988</i>	<i>Subject Matter</i>
Section 13.	Schemes for distribution etc. of welfare foods.
Section 14.	National Health Service – remission of charges and payment of travelling expenses.
Schedule 4, paragraphs 15, 16 and 19 and section 16(1) so far as it relates to them.	Statutory maternity pay.

PART II

(PROVISIONS COMING INTO FORCE ON 6TH APRIL 1988)

<i>Provisions of the Social Security Act 1988</i>	<i>Subject Matter</i>
Section 9 and Schedule 2.	Earnings factors and transfer values.
Schedule 4 in the respects specified below and section 16(1) so far as it relates to them— paragraph 1 paragraphs 17 and 18 paragraphs 21 and 22 paragraph 29, to the extent not already in force.	Minor and consequential amendments— Exemption from tax. Statutory Maternity Pay. Pension Schemes. Recoverable amounts.
The following repeals in Schedule 5 and section 16(2) so far as it relates to them— in section 50(1) of the Social Security Act 1986(a), in the definition of “employer”, the words “and a contract of service of hers” and the words “under the contract”.	Statutory Maternity Pay.

(a) 1986 c.50.

PART III
(PROVISIONS COMING INTO FORCE ON 11TH APRIL 1988)

<i>Provisions of the Social Security Act 1988</i>	<i>Subject Matter</i>
Section 2(4)–(10) and Schedule 1.	Industrial Injuries Benefit.
Section 3.	Family credit.
Section 11 and Schedule 3.	Social Fund.
Schedule 4 in the respects specified below and section 16(1) so far as it relates to them—	Minor and consequential amendments—
paragraph 3	General.
paragraph 5	Maternity Allowance.
paragraph 11 (except for the entry at section 50(1A)(c) relating to retirement allowance)	Industrial Injuries Benefit.
paragraph 14	Review of decisions.
paragraphs 23, 24 and 25.	Income Support.
The following repeals in Schedule 5 and section 16(2) so far as it relates to them—	
(a) Section 4 of the Emergency Laws (Re-enactments and Repeals) Act 1964(a).	Welfare Foods.
(b) Section 61 of the Health Services and Public Health Act 1968(b).	Welfare Foods.
(c) Sections 59A(11) and 69 of the Social Security Act 1975(c).	Industrial Injuries Benefits.
(d) Section 47(4) and (5) of the Adoption Act 1976(d).	
(e) The provisions of the National Health Service Act 1977(e) specified below—	National Health Service – remission of charges and payment of travelling expenses.
(i) Section 5(3).	
(ii) In Schedule 12, in paragraph 1, in sub-paragraph (1), the words from “and regulations” to the end and sub-paragraph (2), and paragraph 5.	
(f) Section 41(3) to (5) of the Adoption (Scotland) Act 1978(f).	Industrial Injuries Benefits.
(g) The provisions of the National Health Service (Scotland) Act 1978(g) specified below—	National Health Service – remission of charges and payment of travelling expenses.
(i) Section 85(5).	
(ii) In Schedule 11, in paragraph 1, in sub-paragraph (1) the words from “and regulations” to the end, and sub-paragraph (2).	
(h) Section 14 of the Social Security Act 1985(h).	Industrial Injuries Benefits.
(j) The provisions of the Social Security Act 1986(i) specified below—	
(i) in section 20(6), the words “, beginning with the week in which a claim for it is made or is treated as made”.	Family Credit.
(ii) section 23(8).	Income Support.
(iii) in section 32, subsection (3), in subsection (4), the words “Social fund” and in subsection (8), the words “social fund”, in the second place where they occur and the words from “and” to the end.	Social Fund.
(iv) in section 33(1), the words “social fund”.	
(v) in section 34(1)(a), the words “to him” and the words “social fund”, in the second place where they occur.	

(a) 1964 c.60.

(b) 1968 c.46.

(c) 1975 c.14; section 59A was inserted by the Social Security Act 1986, Schedule 3, paragraph 5.

(d) 1976 c.36.

(e) 1977 c.49.

(f) 1978 c.28.

(g) 1978 c.29.

(h) 1985 c.53.

(i) 1986 c.50.

(vi) in section 51(2), the words "social fund".	
(vii) in section 52(6), the words "social fund".	
(viii) in section 53(10), the words "social fund".	
(ix) in section 63(7), the word "specified", in the second place where it occurs.	Annual up-rating of benefits.
(x) in section 84(1), the definition of "social fund payment".	Social Fund.
(xi) in Schedule 3, paragraph 5(3) to (8) and paragraphs 9 and 11.	Industrial Injuries Benefits.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for the coming into force of provisions of the Social Security Act 1988 on the following dates—

- 17th March 1988 for the provisions in—
 - section 13 relating to welfare food,
 - section 14 relating to National Health Service remission of charges and payment of travelling expenses, and
 - paragraphs 15, 16 and 19 of Schedule 4 relating to statutory maternity pay;
- 1st April 1988 for the provision in Schedule 4, paragraph 20 relating to housing benefit finance;
- 6th April 1988 for the provisions in section 9 and Schedule 2 relating to earnings factors and transfer values and in Schedules 4 and 5 relating to statutory maternity pay and pensions schemes;
- 11th April 1988 for the provisions in—
 - section 2(4) to (10) and Schedule 1 relating to industrial injuries benefits,
 - section 3 relating to family credit,
 - section 11 and Schedule 3 relating to the Social Fund,
 - Schedules 4 and 5 relating to the Social Fund and income support;
- 2nd October 1988 for section 6 which relates to contribution conditions for short-term benefits;
- 1st January 1989 for section 7 which relates to unemployment benefit and occupational pension.

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