

1988 No. 529

SOCIAL SECURITY

The Social Security (Financial Adjustments) Order 1988

<i>Made</i> - - - -	<i>15th March 1988</i>
<i>Laid before Parliament</i>	<i>21st March 1988</i>
<i>Coming into force</i> -	<i>11th April 1988</i>

The Secretary of State for Social Services, with the consent of the Treasury(a), in exercise of powers conferred upon him by section 133(6) of the Social Security Act 1975(b) and section 85(10) and (12) of the Social Security Act 1986(c) and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Social Security (Financial Adjustments) Order 1988 and shall come into force on 11th April 1988.

(2) In this Order—

“the Act” means the Social Security Act 1975;

“the 1979 Act” means the Pensioners’ Payments and Social Security Act 1979(d);
and

“the 1986 Act” means the Social Security Act 1986.

Cases specified for the purposes of section 133(6) of the Social Security Act 1975

2.—(1) The cases set out in paragraph (2) of this article shall be cases specified for the purposes of section 133(6) of the 1975 Act (in which cases the amount, and the times and manner of the making of payments on account, of certain payments by way of adjustment are such as may be determined by the Secretary of State in accordance with any Treasury directions).

(2) The cases referred to in paragraph (1) of this article are those where adjustments fall to be made in respect of—

- (a) payments of benefit, or payments under section 1 of the 1979 Act, made or falling to be made out of the National Insurance Fund;
- (b) payments under Schedule 6 to the 1986 Act (Christmas bonus for pensioners) made or falling to be made out of the National Insurance Fund or out of money provided by Parliament;
- (c) payments of benefit, or payments under section 1 of the 1979 Act, made or falling to be made out of money provided by Parliament by virtue (in the case of payments of benefit) of the Supplementary Benefits Act 1976(e) or of section 135(3)(b) of the Act or (in the case of payments under section 1 of the 1979 Act) of section 6(1)(b) of the 1979 Act; and

(a) See Social Security Act 1986 (c.50), section 83(5).

(b) 1975 c.14; section 133(6) was amended by the Social Security Pensions Act 1975 (c.60), Schedule 5.

(c) 1986 c.50.

(d) 1979 c.48.

(e) 1976 c.71, as amended by section 6(1) of, and Part I of Schedule 2 to, the Social Security Act 1980 (c.30).

- (d) payments of income support made or falling to be made out of money provided by Parliament by virtue of the 1986 Act.

Case specified for the purposes of section 85(10) of the Social Security Act 1986

3.—(1) The case set out in paragraph (2) of this article shall be a case specified for the purposes of section 85(10) of the 1986 Act (in which case the amount, and the times and manner of the making of payments on account, of certain payments by way of adjustment are such as may be determined by the Secretary of State in accordance with any Treasury direction).

(2) The case referred to in paragraph (1) of this article is that where adjustments fall to be made in respect of payments of family credit made or falling to be made out of money provided by Parliament.

Case specified for the purposes of section 85(12) of the Social Security Act 1986

4.—(1) The case set out in paragraph (2) of this article shall be a case specified for the purposes of section 85(12) of the 1986 Act (in which case the amount, and the times and manner of the making of payments on account, of certain payments by way of adjustment are such as may be determined by the Secretary of State in accordance with any Treasury direction).

(2) The case referred to in paragraph (1) of this article is that where adjustments fall to be made in respect of payments made or falling to be made out of the social fund.

Revocations

5. The Social Security (Financial Adjustments) Order 1975(a) and the Social Security (Financial Adjustments) Amendment Order 1980(b) are hereby revoked.

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

9th March 1988

Nicholas Scott
Minister of State,
Department of Health and Social Security

We consent,

15th March 1988

Michael Neubert
Mark Lennox-Boyd
Two of the Lords Commissioners of Her Majesty's Treasury

EXPLANATORY NOTE

(This note is not part of the Order)

This Order specifies the cases in which an estimated basis may be used in ascertaining the amount of any adjustments falling to be made between the National Insurance Fund and money provided by Parliament or between the social fund, the National Insurance Fund and money provided by Parliament.

The cases specified are those in respect of—

- (1) payments of benefit, or payments under the Pensioners' Payments and Social Security Act 1979 (Christmas bonus), which fall to be made out of the National Insurance Fund (article 2(2)(a));

(a) S.I. 1975/530, amended by S.I. 1980/1408.

(b) S.I. 1980/1408.

- (2) payments under Schedule 6 to the 1986 Act (Christmas bonus) which fall to be made out of the National Insurance Fund or out of money provided by Parliament (article 2(2)(b));
 - (3) payments of benefit (in respect of all benefits under the Supplementary Benefits Act 1976 and certain benefits under the Social Security Act 1975) or Christmas bonus which fall to be made out of money provided by Parliament (article 2(2)(c));
 - (4) payments of income support which fall to be made out of money provided by Parliament (article 2(2)(d));
 - (5) payments of family credit which fall to be made out of money provided by Parliament (article 3);
 - (6) payments which fall to be made out of the social fund (article 4).
- The Order also contains revocations (article 5).