



# Social Security Act 1973

## 1973 CHAPTER 38

### PART IV

#### MISCELLANEOUS AND GENERAL

##### *General*

#### 98 Financial provisions.

- (1) .....<sup>F1</sup> There shall be paid out of money provided by Parliament—
- (a) any expenses falling on the Secretary of State or other government department under this Act . . .<sup>F2</sup>,
  - (b) any increase attributable to this Act in the expenses of any Minister of the Crown or government department falling to be paid out of money so provided under any other enactment.
- (2) .....<sup>F3</sup>

#### Textual Amendments

- F1** Words repealed by [Social Security Amendment Act 1974 \(c. 58\)](#), [Sch. 2](#) w.e.f. 17.1.75.  
**F2** Words repealed by [Social Security Pensions Act 1979 \(c. 60\)](#), [Sch. 5](#), w.e.f. 7.8.75.  
**F3** [S. 98\(2\)](#) repealed by [Social Security Pensions Act 1975 \(c. 60\)](#), [Sch. 5](#)

#### 99 Interpretation.

- [<sup>F4</sup>(1) In this Act except where the context otherwise requires—
- [<sup>F5</sup> “appropriate scheme” shall be construed in accordance with Part I of the Social Security Act 1986;]
  - [<sup>F6</sup> “contracted-out employment” and “contracting-out certificate” shall be construed in accordance with section 30 of the Pensions Act and references

*Status: Point in time view as at 07/02/1994.*

*Changes to legislation: There are currently no known outstanding effects for the Social Security Act 1973, Cross Heading: General. (See end of Document for details)*

to a contracted-out scheme and to contracting-out shall be construed in accordance with section 32 of that Act;]

.....<sup>F7</sup>  
“earnings” includes any remuneration or profit derived from an employment, and “earner” shall be construed accordingly;

.....<sup>F7</sup>  
“employment” includes any trade, business, profession, office or vocation and “employed” shall be construed accordingly except in the expression “employed earner”;

.....<sup>F7</sup>  
[<sup>F6</sup>“guaranteed minimum pension” has the meaning given in section 26 of the Pensions Act;]

.....<sup>F7</sup>  
“the Inland Revenue” means the Commissioners of Inland Revenue;

.....<sup>F7</sup>  
“linked qualifying service” shall be construed in accordance with [<sup>F8</sup>section 58(2), (2A) and (2B)];

.....<sup>F7</sup>  
“the Northern Ireland Ministry” means the Ministry of Health and Social Services for Northern Ireland;

“occupational pension scheme” has the meaning given by section 51(3)(a);

.....<sup>F7</sup>  
[<sup>F9</sup>“the Pensions Act” means the Social Security Pensions Act 1975;]

[<sup>F5</sup>“personal pension scheme” has the same meaning as in the Social Security Act 1986;]

“prescribed” means prescribed by regulations;

“public service pension scheme” has the meaning given by section 51(3)(b);

.....<sup>F7</sup>  
.....<sup>F10</sup>  
.....<sup>F7</sup>

“resources”, in relation to an occupational scheme, shall be construed in accordance with section 59(1) of this Act;

[<sup>F9</sup>“state scheme premium” means a state scheme premium under Part III of the Pensions Act or under any corresponding provision in force in Northern Ireland;]

“transfer credits” has the meaning given by section 58(1)(a);

(2) Except where the context otherwise requires, references in this Act to any Part of it include references to the Schedules of that Part.

[<sup>F11F4</sup>(3) Where any provision of this Act refers to regulations and the authority with power to make them is neither specified nor to be implied from the context, the reference is to regulations made by the Secretary of State . . . <sup>F12</sup>]

[<sup>F11</sup>(4) In any provision of this Act (except section 95(5)) containing a reference to “the appointed day” that expression shall be taken to have whatever meaning may be given by the order under section 101 of this Act which brings that provision into force.]

*Status: Point in time view as at 07/02/1994.*

*Changes to legislation: There are currently no known outstanding effects for the Social Security Act 1973, Cross Heading: General. (See end of Document for details)*

- <sup>F4</sup>(5) .....
- (6) ..... <sup>F13</sup>
- (8) ..... <sup>F14</sup>
- (10) ..... <sup>F15</sup>
- (11) ..... <sup>F16</sup>
- (13) ..... <sup>F17</sup>

(15) Any reference in this Act to an enactment shall, except in so far as the context otherwise requires, be construed as a reference to that enactment as amended or extended by or under any enactment including an enactment contained in this Act; and “enactment”, in this Act, includes an enactment of the Parliament of Northern Ireland and any reference in this Act to an enactment of that Parliament shall include a reference to an enactment re-enacting it with or without modification.

[<sup>F11</sup>(16) Any reference in this Act, in relation to any enactment of the Parliament of the United Kingdom, to the corresponding Northern Ireland Legislation is a reference to, or to any provision of, an Act of the Parliament of Northern Ireland, or any order made under or having the same effect as such an Act, for the time being in force corresponding to that enactment.]

(17) Any reference in section ... <sup>F12F4</sup> ..., 96, or 97 of this Act to ... <sup>F12</sup>an order <sup>F4</sup> ..., under this Act or any Part thereof shall include a reference to ... <sup>F12</sup>, an order <sup>F4</sup> ..., made under any provision of an enactment passed after this Act and directed to be construed as one with this Act or, as the case may be, that Part; but this subsection shall apply only so far as a contrary intention is not expressed in the enactment so passed, and shall be without prejudice to the generality of any such direction.

- (18) ..... <sup>F18</sup>

#### Textual Amendments

- F4** S. 99(1)(3) repealed (E.W.S.) (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.III** (with s. 6(8)); S.I. 1994/86, **art. 2**  
Words in s. 99(17) repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I** (with s. 6(8)); S.I. 1994/86, **art. 2**  
S. 99(5) repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I** (with s. 6(8)); S.I. 1994/86, **art. 2**
- F5** Definition inserted by Social Security Act 1986 (c. 50), **Sch. 10**, para. 8, w.e.f. 1.5.87
- F6** Definition inserted by Social Security Pensions Act 1975 (c. 60), **Sch. 4 para. 31** w.e.f. 21.11.75.
- F7** Definitions repealed by Social Security (Consequential Provisions) Act 1975 (c. 18), **Sch. 1**; by Statutory Sick Pay Act 1975 (c. 60), **Sch. 5**; and by Social Security Act 1986 (c. 50), **Sch. 11**
- F8** Words substituted (1.10.89) by Social Security Act 1989 (c. 24), **Sch. 6**, para. 2(2)
- F9** Definition inserted by Social Security Pensions Act 1975 (c. 60), **Sch. 4 para. 31** w.e.f. 21.11.75.
- F10** Definitions repealed by Social Security (Consequential Provisions) Act 1975 (c. 18), **Sch. 1**; by Social Security Pensions Act 1975 (c. 60), **Sch. 5**; and by Social Security Act 1986 (c. 50), **Sch. 11**
- F11** S. 99(4)(16) repealed (N.I.) by S.I. 1975/1503 (N.I. 15), art. 74(2), **Sch. 6**
- F12** Words deleted by Social Security (Consequential Provisions) Act 1975 (c. 18), **Sch. 1** w.e.f. 6.4.75.
- F13** S. 99(6),(7) repealed by Social Security Pensions Act 1975 (c. 60), **Sch. 5** and S.I. 1975/1503 (N.I. 15)
- F14** S. 99(8)(9) repealed by Social Security (Consequential Provisions) Act 1975 (c. 18), s. 2, **Sch. 1 Pt. I**
- F15** S. 99(10) repealed by Social Security Pensions Act 1975 (c. 60), **Sch. 5** and S.I. 1975/1503 (N.I. 15)
- F16** S. 99(11),(12) repealed by Social Security (Consequential Provisions) Act 1975 (c. 18), **Sch. 1 Pt. I**

*Status: Point in time view as at 07/02/1994.*

*Changes to legislation: There are currently no known outstanding effects for the Social Security Act 1973, Cross Heading: General. (See end of Document for details)*

**F17** S. 99(13),(14) repealed by Social Security Pensions Act 1975 (c. 60), **Sch. 5** and S.I. 1975/1503 (N.I. 15)

**F18** S. 99(18) repealed by Supplementary Benefits Act 1976 (c. 71), **Sch. 8 Pt. I**

**Modifications etc. (not altering text)**

**C1** Definitions repealed (N.I.) by S.I. 1975/1503 (N.I. 15), art. 74(2), **Sch. 6**

**C2** Word “Ministry” to be construed (1.1.74) as “Department” by virtue of Northern Ireland Constitution Act 1973 (c. 36), **Sch. 5 para. 8(1)**

**100 Transitional provisions; minor and consequential amendments; repeals.**

(1) ..... <sup>F19</sup>

(2) Subject to any provision made by or under subsection (1) above—

- (a) the enactments and Orders specified in Schedule 27 to this Act shall (without prejudice to any other provision of this Act) have effect subject to the amendments there specified, being minor amendments and amendments consequential on the provisions of this Act;
- (b) the enactments and Orders specified in Schedule 28 to this Act (which include certain spent provisions and other provisions which are no longer required or will cease to be required on the coming into force of the amendments made by Schedule 27) are hereby repealed to the extent specified in the third column of that Schedule.

(3) Where this Act amends an enactment of the Parliament of Northern Ireland, or an Order made under, or having the same effect as, an enactment of that Parliament, the enactment or Order as amended shall be subject to the <sup>M1</sup>Interpretation Act (Northern Ireland) 1954 in the same way as an Act of that Parliament is so subject.

(4) Section 38 of the <sup>M2</sup>Interpretation Act 1889 (effect of repeals) shall have the same operation in relation to any repeal by this Act of an enactment of the Parliament of Northern Ireland (or of any provision of an Order made under an enactment of that Parliament) as it has in relation to the repeal of an Act of the Parliament of the United Kingdom, references in that section of the Act of 1889 to Acts and enactments being construed accordingly.

**Textual Amendments**

**F19** S. 100(1) repealed by Social Security (Consequential Provisions) Act 1975 (c. 18), **Sch. 1 Pt. I**

**Modifications etc. (not altering text)**

**C3** The text of s. 100(2), Sch. 27 paras. 6, 7, 10, 12, 14, 15, 16, 17, 19, 24, 64, 72, 78, 80, 85, 88, 96, 97, 98, 100, 104, 107, 118, 119, 120, 121, 167, Sch. 28 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**C4** References to the Interpretation Act 1889 to be construed as a reference to ss. 16(1) and 17(2)(a) of the Interpretation Act 1978 (c. 30) by virtue of Interpretation Act 1978 (c. 30), **s. 25(2)**

**Marginal Citations**

**M1** 1954 c. 33 (N.I.)

**M2** 1889 c. 63.

---

*Status: Point in time view as at 07/02/1994.*

*Changes to legislation: There are currently no known outstanding effects for the Social Security Act 1973, Cross Heading: General. (See end of Document for details)*

---

## **101 Citation and commencement.**

- (1) This Act may be cited as the Social Security Act 1973.
- (2) This Act shall come into force on such day as the Secretary of State may appoint by order; and—
  - (a) different days may be so appointed for, or for different purposes of, any one or more provisions of this Act (including, in the case of section 100 of this Act, the amendment or repeal of different enactments specified in Schedule 27 or 28 to this Act, or of different provisions of any enactment so specified); and
  - (b) an order under this subsection appointing a day for the coming into force of any provision (whether for all purposes or for particular purposes specified in the order) shall, if that provision contains a reference to “the appointed day”, specify the day (being a day not earlier than the making of the order nor later than the coming into force of the provision) which is to be the appointed day for any purposes for which the provision is brought into force.
- (3) An order under subsection (2) above may make such transitional provision or savings as appear to the Secretary of State to be necessary or expedient in connection with provisions of this Act which are thereby brought (wholly or in part) into force, and may make such adaptations of those provisions or of any provisions of this Act then in force as appear to the Secretary of State to be necessary or expedient in consequence of the partly postponed or postponed operation of any provision of this Act (whether before, on or after the day appointed by the order).
- (4) Any statutory instrument containing an order made under this section shall be laid before Parliament after being made.

---

### **Subordinate Legislation Made**

**P1** [S. 101](#): power exercised by S.Is. 1973/1249, 1973/1433, 1974/164, 1974/823 and 1975/124.

**Status:**

Point in time view as at 07/02/1994.

**Changes to legislation:**

There are currently no known outstanding effects for the Social Security Act 1973, Cross  
Heading: General.