



Social Security (Miscellaneous Provisions) Act 1977

1977 CHAPTER 5

Disablement etc benefits of armed forces

12 Exercise by Order in Council of existing powers relating to benefits for death or disablement through service in the armed forces.

(1) Any power of Her Majesty, whether under an enactment or otherwise, to make provision about pensions or other benefits for or in respect of persons who have been disabled or have died in consequence of service as members of the armed forces of the Crown shall continue to be exercisable in any manner in which it may be exercised apart from this subsection and shall also be exercisable by Order in Council in pursuance of this subsection; and such an Order shall be made by statutory instrument and laid before Parliament after being made.

(2) Her Majesty may make by Order in Council—

- (a) in any enactment relating to such pensions or other benefits as are mentioned in the preceding subsection; and
- (b) in any enactment by virtue of which and any instrument by which provisions relating to such pensions or other benefits may be or are applied to service otherwise than in the said forces; and
- (c) in any other enactment or instrument which refers to, or to an instrument relating to, such pensions or other benefits,

such modifications as She considers appropriate in consequence of the passing of that subsection or the making of an Order in pursuance of that subsection; and any statutory instrument containing an Order made by virtue of this subsection shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(3) An Order made in pursuance of subsection (1) of this section may vary or revoke any instrument made otherwise than under this section so far as the instrument relates to such pensions or other benefits as are mentioned in that subsection.

Changes to legislation: There are currently no known outstanding effects for the Social Security (Miscellaneous Provisions) Act 1977, Cross Heading: Disablement etc benefits of armed forces. (See end of Document for details)

Subordinate Legislation Made

- P1** S. 12: for previous exercises of this power see Index to Government Orders.
P2 S. 12: s. 12(1) (with s. 24(3)) power exercised by S.I.1991/766.
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Modifications etc. (not altering text)

- C1** S. 12 saved by Reserve Forces Act 1980 (c. 9), **Sch. 8 para. 20**
C2 Power to apply s. 12 conferred by Forfeiture Act 1982 (c.34), **s. 4(2)(a)**

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