



Social Security (Miscellaneous Provisions) Act 1977

1977 CHAPTER 5

Miscellaneous provisions relating to benefit

14 Amendments of Supplementary Benefits Act 1976

- (1) The Secretary of State may by regulations make such modifications of the Supplementary Benefits Act 1976 as he considers are appropriate with a view to securing that, for the purposes of that Act or of such provisions of it as are prescribed—
 - (a) the resources of a person under pensionable age who is attending a course of full-time education are treated as including any prescribed contribution notwithstanding that the contribution is not actually made; and
 - (b) any such contribution and any grant or award made to such a person by a Minister of the Crown or a prescribed authority in connection with the course is not disregarded;but nothing in this subsection or in any regulations made in pursuance of this subsection shall be construed as prejudicing any power conferred on the Supplementary Benefits Commission otherwise than by virtue of this subsection.
- (2) Regulations may specify the courses which are courses of full-time education for the purposes of the preceding subsection and the circumstances in which a person is or is not to be treated for those purposes as attending such a course.
- (3) Subject to subsection (10) below, regulations under the preceding provisions of this section may be so made as to take effect from the commencement of the Supplementary Benefits Act 1976.
- (4) In section 2(2) of that Act, after paragraph (b) (under which entitlement to any supplementary benefit is to be determined in accordance with regulations made by the Secretary of State with the consent of the Treasury) there shall be inserted the words " and regulations so made may, without prejudice to the generality of paragraph (b) of this subsection, contain provision as to the day on which entitlement to any

supplementary benefit is to begin or end or the amount of any supplementary benefit is to change".

- (5) For section 21 of that Act (which relates to false statements) there shall be substituted the following section—

If any person, for the purpose of obtaining supplementary benefit or any other payment under this Act for himself or another person or for any other purpose connected with this Act,—

- (a) makes any statement or representation which he knows to be false ; or
- (b) produces or furnishes, or causes or knowingly allows to be produced or furnished, any document or information which he knows to be false in a material particular,

he shall be liable on summary conviction to a fine not exceeding £400 or to imprisonment for a term not exceeding three months or to both.”

- (6) In sections 22, 23(3) and 25(1) of that Act (which provide for a fine not exceeding £100) for " £100 " there shall be substituted " £400 ",
and in section 24(1) of that Act (which provides for a fine not exceeding £20) for " £20 " there shall be substituted " £100 ".
- (7) In paragraph 3(1)(b) of Schedule 1 to that Act (which refers to persons who are cohabiting as man and wife) for the words " are cohabiting as man " there shall be substituted the words " who are not married to each other are living together as husband ".
- (8) Paragraph 4(1) of Schedule 1 to that Act (adjustment for exceptional circumstances) shall have effect and, subject to subsection (10) below, be deemed always to have had effect, as if at the end there were added the words " and for this purpose the circumstances of a case may be treated as exceptional if it falls within a class of case the circumstances of which are exceptional. "
- (9) In sub-paragraph (3)(b) of paragraph 22 of Schedule 1 to that Act (which among other things requires the reduction of a person's weekly earnings provided for in sub-paragraph (1)(c) of that paragraph to be applied, in a case falling within sub-paragraph (3) of that paragraph, to less than the full amount of his net weekly earnings) for the words " sub-paragraph (1)(c)" there shall be substituted the words " sub-paragraph (1)(b) or (c) ".
- (10) Neither subsection (3) nor subsection (8) above shall affect any decision substituted or to be substituted for a decision quashed by an order of a court made before 4th March 1977.