

## SCHEDULES

### SCHEDULE 4

Section 20.

#### CONSEQUENTIAL AND MINOR AMENDMENTS OF ENACTMENTS

##### *Polish Resettlement Act 1947*

- 1 (1) Section 3 of the Polish Resettlement Act 1947 and Part II of the Schedule to that Act (which among other things authorise the Supplementary Benefits Commission to provide accommodation and goods and services for former members of certain Polish forces) shall be amended as follows—
- (a) for references to the Supplementary Benefits Commission, wherever they occur except in section 3(5), there shall be substituted references to the Secretary of State ;
  - (b) in section 3(2) the words " by making payments to persons for whom accommodation is provided " shall be omitted and for the word " another " there shall be substituted the words " the other " .
  - (c) subsections (4), (5), (10) and (10A) of section 3 (which among other things provide for the making and observance of rules about conduct in accommodation and that the Commission's functions under that section are exercised on behalf of the Secretary of State) shall be omitted ;
  - (d) in paragraph 3 of that Schedule the words from " (including " to " repealed)" (which relate to the recovery of certain charges from a step-father) shall be omitted ; and
  - (e) in paragraph 4 of that Schedule the proviso (which provides for an appeal about the amounts of certain charges) shall be omitted.
- (2) In sections 4(1), 6(1) and 7(1) of that Act (which contain references to persons for whom there is power to provide accommodation under section 3 of that Act) for the words from " for whom " to " power" there shall be substituted the words " for whom the Secretary of State has power " ; and for subsection (3) of section 12 of that Act (which modifies references to such persons in the application of the Act to Northern Ireland) there shall be substituted the following subsection—
- “(3) References in sections 4 to 7 of this Act to persons of any description for whom the Secretary of State has power to provide accommodation under section 3 of this Act shall include references to persons in Northern Ireland of any description for whom he would have power so to provide if those persons were in Great Britain.”

##### *The National Assistance Act 1948*

- 2 (1) In section 22 of the National Assistance Act 1948, in subsection (5) (which provides that in assessing a person's ability to pay for certain accommodation a local authority shall have regard to Part III of Schedule 1 to the Supplementary Benefits Act 1976) for the words from " Part III" onwards there shall be substituted the words " regulations made by the Secretary of State for the purposes of this subsection " , and

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subsection (9) (under which payments of benefit may be diverted to a local authority to discharge a liability in respect of accommodation provided by the authority) shall cease to have effect.

- (2) Section 27 of that Act (under which among other things questions as to the circumstances of a person applying for accommodation under the Act may be referred to the Supplementary Benefits Commission) shall cease to have effect.
- (3) In paragraph 8(3)(6) of Schedule 6 to that Act (which refers to a centre to be maintained for the like purposes as a reception centre maintained by the Supplementary Benefits Commission) for the words from " a centre " to " the centre " there shall be substituted the words " a place for the like purposes as a resettlement unit maintained by the Secretary of State, and that place ".

*The Maintenance Orders Act 1950*

- 3 In section 8(1) of the Maintenance Orders Act 1950 (which relates to jurisdiction in certain actions of affiliation and aliment in Scotland) for the words from " or at the instance " to " local authority " there shall be substituted the words " or at the instance of the Secretary of State or of a local authority ".

*The Legal Aid (Scotland) Act 1967*

- 4 (1) Section 4(5) of the Legal Aid (Scotland) Act 1967 (which provides, in relation to legal aid, for computing resources by reference to the rules set out in certain paragraphs of Schedule 1 to the Supplementary Benefits Act 1976) shall cease to have effect.
- (2) In section 4(6) of that Act (which among other things provides for the income and capital of a person and the maximum amount of his contribution to the legal aid fund to be determined by the Supplementary Benefits Commission) for the words from " determined " onwards there shall be substituted the words " determined in accordance with regulations; and regulations for the purposes of this subsection may make different provision for different cases or classes of cases. ".

*The Social Work (Scotland) Act 1968*

- 5 (1) In section 87(3) of the Social Work (Scotland) Act 1968 (under which accommodation provided under that Act is regarded as provided under Part III of the National Assistance Act 1948) for the words "sections 22(2) to (9)" there shall be substituted the words " sections 22(2) to (8) ".
- (2) Section 87(6) of that Act (under which among other things questions as to the circumstances of a person applying for accommodation under that Act may be referred to the Supplementary Benefits Commission) shall cease to have effect.

*The Local Authority Social Services Act 1970*

- 6 In Schedule 1 to the Local Authority Social Services Act 1970 (which lists the functions of a local authority assigned to its Social Services Committee), in column 2 of the entry relating to Schedule 5 to the Supplementary Benefits Act 1976, for the words " reception centres " there shall be substituted the words " resettlement units ".

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*The Housing {Financial Provisions} {Scotland} Act 1972*

- 7 In section 16A(4) of the Housing (Financial Provisions) (Scotland) Act 1972 (which relates to a housing authority and the Supplementary Benefits Commission providing each other with information for purposes connected with supplementary benefits), for the words " Supplementary Benefits Commission " in both places where they occur there shall be substituted the words " Secretary of State " and for the words " the Commission " there shall be substituted the words " the Secretary of State ".

*The Employment and Training Act 1973*

- 8 In section 12(2)(b) of the Employment and Training Act 1973 (which refers to the Supplementary Benefits Commission), for the words "the Supplementary Benefits Commission" there shall be substituted the words " a benefit officer within the meaning of the Supplementary Benefits Act 1976 " and for the words " latter Commission " there shall be substituted the word " officer ".

*The Legal Aid Act 1974*

- 9 (1) Section 11(6) of the Legal Aid Act 1974 (which provides, in relation to legal aid, for computing resources by reference to the rules set out in certain paragraphs of Schedule 1 to the Supplementary Benefits Act 1976) shall cease to have effect.
- (2) In section 11(7) of that Act (which among other things provides for the income and capital of a person and the maximum amount of his contribution to the legal aid fund to be determined by the Supplementary Benefits Commission) for the words from " determined " onwards there shall be substituted the words " determined in accordance with regulations ; and regulations for the purposes of this subsection may make different provision for different cases or classes of cases. ".
- (3) In section 33(1) of that Act (which relates to enquiries into persons' means) for the words " Supplementary Benefits Commission " there shall be substituted the words " Secretary of State to arrange for an officer of his ",  
for the words " the Commission " there shall be substituted the words " the Secretary of State " and before the word " report " there shall be inserted the words " arrange for the officer to ".

*The Child Benefit Act 1975*

- 10 In section 21(6) of the Child Benefit Act 1975 (which refers to sections 139(1) and 141(2) of the principal Act) for the words from the beginning to " that Act " there shall be substituted the words " Section 141(2) of the Social Security Act 1975 ".

*The Sex Discrimination Act 1975*

- 11 In section 35(1)(a) of the Sex Discrimination Act 1975 (which refers to a reception centre provided by the Supplementary Benefits Commission) for the words " reception centre provided by the Supplementary Benefits Commission " there shall be substituted the words " resettlement unit provided under Schedule 5 to the Supplementary Benefits Act 1976 ".

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*The Social Security {Miscellaneous Provisions} Act 1977*

- 12 In subsection (13) of section 22 of the Social Security (Miscellaneous Provisions) Act 1977 (which refers to section 44(6) of the Pensions Act as amended by a subsection repealed by this Act) for the words " the said section 44(6) as amended by the preceding subsection" there shall be substituted the words " section 44(6) of the Pensions Act ".

*The Employment Protection {Consolidation} Act 1978*

- 13 (1) In section 132(3) of the Employment Protection (Consolidation) Act 1978 (which among other things refers to section 15(2) to (4) of the Supplementary Benefits Act 1976)—
- (a) for the words " the Supplementary Benefits Commission" and " the Commission " in paragraphs (b) and (e) there shall be substituted the words " a benefit officer within the meaning of the Supplementary Benefits Act 1976 "; and
  - (b) for the words " 15(2) to (4) of that Act (appeals)" in paragraph (e) there shall be substituted the words " 15(3) and (4) and regulations under section 2(1A) of that Act ".
- (2) For paragraph (b) of section 132(4) of that Act (which provides that certain provisions of the Supplementary Benefits Act 1976 relating to the recovery of benefit shall not apply to supplementary benefit recouped by virtue of that section) there shall be substituted the following paragraph—
- “(b) no sum shall be recoverable under the Supplementary Benefits Act 1976, and no abatement, payment or reduction shall be made under section 12(1), (2) or (3) of that Act, by reference to the supplementary benefit recouped.”

*The Pensioners' Payments and Social Security Act 1979*

- 14 In section 2(7) of the Pensioners' Payments and Social Security Act 1979 (under which an unmarried couple are to be treated as spouses for the purposes of section 1 of that Act if among other things the man is entitled to a supplementary pension) for the words " the man " there shall be substituted the words " one of them ".