



Social Security Act 1986

1986 CHAPTER 50

PART VI

COMMON PROVISIONS

Administration

[^{F1}]
[^{F2}56

Legal proceedings.

- (1) Any person authorised by the Secretary of State in that behalf may conduct any proceedings under the benefit Acts before a magistrates' court ^{F3}
- (2) Notwithstanding anything in any Act—
 - (a) proceedings for an offence under the benefit Acts . . . ^{F4} may be begun at any time within the period of three months from the date on which evidence, sufficient in the opinion of the Secretary of State to justify a prosecution for the offence, comes to his knowledge or within a period of twelve months from the commission of the offence, whichever period last expires; . . . ^{F4}
 - (b) ^{F4}
- (3) For the purposes of subsection (2) above—
 - (a) a certificate purporting to be signed by or on behalf of the Secretary of State as to the date on which such evidence as is mentioned in paragraph (a) of that subsection came to his knowledge shall be conclusive evidence of that date; . . . ^{F4}
 - (b) ^{F4}
- (4) ^{F4}
- (5) In the application of this section to Scotland, the following provisions shall have effect in substitution for subsections (1) to [^{F5}(4A)] above—
 - (a) proceedings for an offence under the benefit Acts may, notwithstanding anything in [^{F6}section 136 of the Criminal Procedure (Scotland) Act 1995], be commenced at any time within the period of three months from the date

Changes to legislation: There are currently no known outstanding effects for the Social Security Act 1986, Section 56. (See end of Document for details)

on which evidence sufficient in the opinion of the Lord Advocate to justify proceedings comes to his knowledge, or within the period of twelve months from the commission of the offence, whichever period last expires;

- (b) for the purposes of this subsection—
- (i) a certificate purporting to be signed by or on behalf of the Lord Advocate as to the date on which such evidence as is mentioned above came to his knowledge shall be conclusive evidence thereof;
 - (ii) subsection (3) of [F7 section 136 of the said Act of 1995] (date of commencement of proceedings) shall have effect as it has effect for the purposes of that section.]]

Textual Amendments

- F1** Sections 51A, 51B inserted (29.7.1988) by Local Government Finance Act 1988 (c. 41), Sch. 10, para. 8
- F2** Sections 51A, 51B inserted (29.7.1988) by Local Government Finance Act 1988 (c. 41), Sch. 10, para. 8
- F3** Words in s. 56(1) repealed (1.1.2010) by Welfare Reform Act 2009 (c. 29), ss. 208(1), 201, 211(2), Sch. 21 para. 68, Sch. 23 Pt. 5 (with ss. 29, 192, 193); S.I. 2009/3250, art. 2(h)(i)(ii)(v)
- F4** The following sections and schedules are repealed (1.7.1992) by the Social Security (Consequential Provisions) Act 1992 (c. 6) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); ss. 56(2)(b)(3)(b)(4)–(4B), 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); ss. 62–69, 70(1), 73, 74, 79(3)(4); words in s. 80(1); ss. 81, 83(2)(3)(b)–(e); words in s. 83(5); words in s. 84(1); ss. 84(3), 85(1)(a)–(c)(f)(3)(c)(d)(4); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); Sch. 3 except para. 17; Sch.4; Sch. 5 paras 2–20 and Pt. II paras (b)(c); Sch. 6; Sch. 7; Sch. 8 paras 1–3, 5–7; Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68(2), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103(a)(b), 104–107, 108(a)
- F5** Reference substituted (29.7.1988) by Local Government Finance Act 1988 (c. 41), Sch. 10 para. 9(5)
- F6** Words in s. 56(5)(a) substituted (1.4.1996) by 1995 c. 40, ss. 5, 7(2), Sch. 4 para. 64(a)
- F7** Words in s. 56(5)(b)(ii) substituted (1.4.1996) by 1995 c. 40, ss. 5, 7(2), Sch. 4 para. 64(b)

Modifications etc. (not altering text)

- C1** Pt. VI (ss. 51-65) power to amend conferred (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 5, 7(2), Sch. 3 Pt. II para. 22(3)(4)(b), (with savings in Sch. 3).

Changes to legislation:

There are currently no known outstanding effects for the Social Security Act 1986, Section 56.