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**Changes to legislation:** There are currently no known outstanding effects for the Social Security Act 1990,  
Cross Heading: Benefits for women widowed before 11th April 1988. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 6

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### *Benefits for women widowed before 11th April 1988*

- 27 (1) The <sup>M1</sup>Social Security (Widow's Benefit and Retirement Pensions) Amendment Regulations 1987 shall have effect, and be taken always to have had effect, with the substitution for regulations 3 and 4 (transitional provisions about widowed mother's allowance where the husband died before 11th April 1988, which were retrospectively amended by section 6(2) of the 1989 Act, and savings) of the following—
- “3 Regulation 16(1) of the principal Regulations shall apply to a widow whose late husband died before 11th April 1988 as if regulation 2(6) above had not been made.”
- (2) ..... <sup>F1</sup>
- (3) Where, in consequence of regulation 2(6) of the Social Security (Widow's Benefit and Retirement Pensions) Amendment Regulations 1987 (deemed entitlement to child allowance for purposes of widowed mother's allowance etc), an adjudicating authority has decided before the passing of this Act that a widow whose husband died before 11th April 1988 either—
- (a) is not entitled to a benefit under section 25 or 26 of the principal Act, or
  - (b) is entitled to such a benefit at a particular rate,
- an adjudication officer may review that decision, notwithstanding anything in [<sup>F2</sup>section 25 of the Social Security Administration Act 1992].
- (4) In any case where—
- (a) it is determined on such a review that the widow in question was entitled to a benefit under section 25 or 26 of the principal Act, or was entitled to such a benefit at a higher rate, and
  - (b) the application for the review was made before the end of the period of twelve months beginning with the passing of this Act,
- the decision on the review may take effect on 11th April 1988 or any later date, notwithstanding any provision of any Act or instrument restricting the payment of any benefit or increase of benefit to which a person would otherwise be entitled by reason of a review in respect of any period before the review.
- (5) [<sup>F3</sup>Section 28 of the Social Security Administration Act 1992] (appeals from reviews) shall apply in relation to a review under this paragraph as it applies in relation to a review under that section.
- (6) In this paragraph “adjudicating authority” means—
- (a) an adjudication officer;

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- (b) a social security appeal tribunal;
  - (c) a Commissioner, as defined in Schedule 20 to the principal Act.
- (7) The amendment by sub-paragraph (1) above of provisions contained in regulations shall not be taken to have prejudiced any power to make further regulations revoking or amending those provisions.
- (8) Nothing in this paragraph shall be taken to prejudice section 16 or 17 of the <sup>M2</sup>Interpretation Act 1978 (effect of repeals, substitutions etc).

#### Textual Amendments

- F1** Ss. 1–5, 6(1)–(3), 8–10, 16, 17(1)–(9), words in s. 20, s. 22(1); Sch. 1 paras. 1–4, 5(1) and (2), 6; Sch. 5; Sch. 6, paras. 1, 3, 4(1) and (2), 5–7, 8(1), (3), (5), (7), (8) and (11), 9–12, 14–26, 27(2), 28, 30, 31(a) and (b) were repealed (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation
- F2** Words in Sch. 6 para. 27(3) substituted (1. 7. 1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#), **Sch. 2 para. 112(1)**
- F3** Words in Sch. 6 para. 27(5) substituted (1. 7. 1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#), **Sch. 2 para. 112(2)**

#### Marginal Citations

- M1** 1987/1854.  
**M2** 1978 c. 30.

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