



# Social Security Act 1998

## 1998 CHAPTER 14

### PART III

#### BENEFITS

##### *Amendments of Administration Act*

#### 74 Provision of information

In subsection (1) of section 5 of the Administration Act (regulations about claims for and payments of benefit), there shall be inserted after paragraph (h) the following paragraph—

“(hh) for requiring such person as may be prescribed in accordance with the regulations to furnish any information or evidence needed for a determination whether a decision on an award of benefit to which this section applies—

(i) should be revised under section 9 of the Social Security Act 1998; or

(ii) should be superseded under section 10 of that Act;”.

#### Commencement Information

- I1** [S. 74](#) in force at 4.3.1999 for specified purposes by [S.I. 1999/528](#), art. 2(a), [Sch.](#)
- I2** [S. 74](#) in force at 29.11.1999 for specified purposes by [S.I. 1999/3178](#), art. 2(1)(a)(2), [Sch. 1](#) (with art. 4, [Schs. 21-23](#))

#### 75 Overpayments out of social fund

- (1) After section 71 of the Administration Act there shall be inserted the following section—

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### **“71ZA Overpayments out of social fund**

- (1) Subject to subsection (2) below, section 71 above shall apply in relation to social fund payments to which this section applies as it applies in relation to payments made in respect of benefits to which that section applies.
- (2) Section 71 above as it so applies shall have effect as if—
  - (a) in paragraph (a) of subsection (5) and subsection (5A), for the words “reversed or varied on an appeal or has been revised under section 9 or superseded under section 10” there were substituted the words “revised on a review under section 38”;
  - (b) in paragraph (b) of subsection (5), for the words “on the appeal or under that section” there were substituted the words “on the review”;
  - and
  - (c) subsections (7), (10A) and (10B) were omitted.
- (3) This section applies to social fund payments such as are mentioned in section 138(1)(b) of the Contributions and Benefits Act.”
- (2) This section applies where such a determination as is mentioned in section 71(1) of the Administration Act is made in relation to a social fund payment—
  - (a) to which section 71ZA of that Act applies; and
  - (b) which is made on or after the day on which this section comes into force.

#### **Commencement Information**

**I3** [S. 75](#) in force at 5.10.1998 by [S.I. 1998/2209](#), [art. 2\(e\)](#)

## **76 Power to anticipate pensions up-rating order**

After section 155 of the Administration Act there shall be inserted the following section—

### **“155A Power to anticipate pensions up-rating order**

- (1) This section applies where a statement is made in the House of Commons by or on behalf of the Secretary of State which specifies—
  - (a) the amounts by which he proposes, by an order under section 150 above, to increase—
    - (i) the weekly sums that are payable by way of retirement pension;
    - or
    - (ii) the amount of graduated retirement benefit payable for each unit of graduated contributions; and
  - (b) the date on which he proposes to bring the increases into force (“the commencing date”).
- (2) Where, before the commencing date and after the date on which the statement is made, an award is made of a retirement pension or a graduated retirement benefit, the award either may provide for the pension or benefit to be paid as

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from the commencing date at the increased rate or may be expressed in terms of the rate appropriate at the date of the award.”

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**Commencement Information**

**I4** S. 76 in force at 16.11.1998 by [S.I. 1998/2780](#), [art. 2\(b\)](#)

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act applied (with modifications) by [S.I. 2010/1907 reg. 16\(2\)\(c\)Sch. 2](#)
- Act applied (with modifications) by [S.I. 2010/875 reg. 16Sch. 2](#) (This amendment not applied to legislation.gov.uk. S.I. 2010/875 revoked (27.8.2010) before coming into force by S.I. 2010/1906, regs. 1(2), 2)
- Act modified by [S.S.I. 2024/62 art. 2](#)
- Act modified by [S.I. 2024/149 art. 2](#)
- Act power to apply (with modifications) conferred by [2004 c. 6 s. 24\(5\)–\(7\)](#)

**Whole provisions yet to be inserted into this Act (including any effects on those provisions):**

- s. 38(1A) inserted by [2009 c. 24 s. 20\(2\)](#) (This amendment not applied to legislation.gov.uk. Ss. 16-21 repealed (1.4.2013) by 2012 c. 5, s. 73; S.I. 2012/3090, art. 2(1)(b))
- Sch. 2 para. 7A and cross-head inserted by [2012 c. 5 Sch. 2 para. 50\(3\)](#)
- Sch. 18 functions modified by [S.I. 2000/2853 reg. 3\(1\)Sch. 2 para. 4](#)
- Sch. 24 functions modified by [S.I. 2000/2853 reg. 3\(1\)Sch. 2 para. 5](#)