

SCHEDULE 3

Minor, consequential and supplemental provisions

Forfeiture Act 1982

38. In section 4 of the Forfeiture Act 1982⁽¹⁾ (Commissioner to decide whether rule applies to social security benefits)—

- (a) in the heading for “Commissioner” substitute “Upper Tribunal”;
- (b) in subsections (1), (1A), (1G) and (1H) for “a Commissioner”, in each place, substitute “the Upper Tribunal”;
- (c) in subsections (1A), (1B) and (1E) for “the Commissioner”, in each place, substitute “the Upper Tribunal”;
- (d) in subsection (1B) for “he” substitute “it”;
- (e) in subsection (1E) for “he may direct that his” substitute “the Upper Tribunal may direct that its”;
- (f) in subsection (2)—
 - (i) for the words from the beginning to “expedient” substitute “Tribunal Procedure Rules may make provision”;
 - (ii) for “the regulations” substitute “the rules”; and
 - (iii) omit paragraph (b) (together with the “and” immediately before it);
- (g) omit subsections (3) and (4); and
- (h) in subsection (5) omit the definition of “Commissioner”.

⁽¹⁾ 1982 c.34. Subsections (1A) to (1H) were inserted by section 76(2) of the Social Security Act 1986 (c.50). Subsection (2) (b) was amended by paragraph 11(1) of Schedule 7 to the Social Security Act 1998 (c.14). In subsection (5) the definition of “Commissioner” was amended by paragraph 11(2) of Schedule 7 to the 1998 Act.