

Changes to legislation: There are currently no known outstanding effects for the Social Security Act 1990, SCHEDULE 6. (See end of Document for details)

SCHEDULES

SCHEDULE 6

Section 21(1).

MINOR AND CONSEQUENTIAL AMENDMENTS

Orders increasing contributions

1 F1

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6, paras. 1, 3, 4(1) and (2), 5–7, 8(1), (3), (5), (7), (8) and (11), 9–12, 14–26, 27(2), 28, 30, 31(a) and (b) were repealed (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation

Contributions of registered dock workers

- 2 (1) In section 4(7) of the principal Act (reduced contributions for certain persons) the reference to section 145 of the ^{M1}Employment Protection (Consolidation) Act 1978 (which related to registered dock workers and which was repealed by the Dock Work Act 1989 as from 3rd July 1989) shall be omitted.
- (2) Notwithstanding the repeal of section 145 of the said Act of 1978 or of the reference to it in section 4(7) of the principal Act, regulation 133 of the Contributions Regulations (reduced rate of contributions for registered dock workers) shall continue to have effect, and be taken to have continued to have had effect at all times on and after 3rd July 1989, in relation to earnings paid or treated as paid before 6th April 1988 as it had effect by virtue of regulation 4 of the 1988 Regulations (which continues in force accordingly).
- (3) Nothing in this paragraph shall be taken to have prejudiced any power to amend or revoke the regulations to which it refers.
- (4) In this paragraph—
“the Contributions Regulations” means the Social Security (Contributions) Regulations 1979; and
“the 1988 Regulations” means the ^{M2}Social Security (Contributions) Amendment Regulations 1988.

Marginal Citations

M1 1978 c. 44.

M2 S.I. 1988/299.

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3 F2

Textual Amendments

F2 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6, paras. 1, 3, 4(1) and (2), 5–7, 8(1), (3), (5), (7), (8) and (11), 9–12, 14–26, 27(2), 28, 30, 31(a) and (b) were repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6) on consolidation

Regulations relating to industrial injuries and diseases

4 (1) F3

(3) Regulations 6(2)(c), 25 and 36 of the ^{M3}Social Security (Industrial Injuries) (Prescribed Diseases) Regulations 1985 (onset of occupational deafness and time for claiming in respect of occupational deafness or occupational asthma), and any former regulations which they directly or indirectly re-enact with or without amendment, shall be taken to be, and always to have been, validly made.

Textual Amendments

F3 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

Marginal Citations

M3 S.I. 1985/967.

5–7 F4

Textual Amendments

F4 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

Parliamentary control of regulations and orders

8 (1) F5

(2) In section 62 of the Pensions Act, for subsections (1) and (2) there shall be substituted—

“(1) Section 167 of the principal Act shall have effect as if, in subsection (1) (statutory instruments requiring affirmative parliamentary procedure), there were included in paragraph (a) a reference to regulations made by virtue of section 3 above.

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- (2) Subsection (3) of the said section 167 (statutory instruments subject to annulment) shall have effect as if in paragraph (a), after the words “other than” there were inserted the words “an order which, under any provision of the Pensions Act, is required to be laid before Parliament after being made or”.
- (3) F5
- (4) In section 24(5) of the ^{M4}Social Security (Miscellaneous Provisions) Act 1977 for the words “containing regulations” there shall be substituted—
- “(a) which contains (whether alone or with other provisions) any regulations, and
 - (b) which is not subject to any requirement that a draft of the instrument be laid before and approved by a resolution of each House of Parliament.”.
- (5) F5
- (6) In section 7 of that Act, for subsection (4) there shall be substituted—
- “(4) A statutory instrument—
- (a) which contains (whether alone or with other provisions) any regulations under this Act, and
 - (b) which is not subject to any requirement that a draft of the instrument be laid before and approved by a resolution of each House of Parliament,
- shall be subject to annulment in pursuance of a resolution of either House of Parliament.”
- (7) F5
- (9) In section 83 of the 1986 Act, for subsection (4) there shall be substituted—
- “(4) A statutory instrument—
- (a) which contains (whether alone or with other provisions) orders or regulations under this Act, other than orders under section 88 below, and
 - (b) which is not subject to any requirement that a draft of the instrument be laid before and approved by a resolution of each House of Parliament,
- shall be subject to annulment in pursuance of a resolution of either House of Parliament.”
- (10) After section 15 of the ^{M5}Social Security Act 1988 there shall be inserted the following section—
- “15A Regulations and orders etc.**
- (1) Section 166(1) to (3A) of the Social Security Act 1975 (regulations and orders: general provisions) shall apply in relation to any power conferred by any provision of this Act to make orders or regulations under this Act as they apply in relation to any power conferred by that Act to make orders

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or regulations, but as if for references to that Act there were substituted references to this Act.

(2) A statutory instrument—

- (a) which contains (whether alone or with other provisions) any orders or regulations under this Act, other than orders under section 18 below, and
- (b) which is not subject to any requirement that a draft of the instrument be laid before and approved by a resolution of each House of Parliament,

shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(3) In this Act—

“prescribe” means prescribe by regulations; and
 “regulations” means regulations made under this Act by the Secretary of State.”

(11) F5

(12) In section 29 of the 1989 Act, for subsection (3) there shall be substituted—

“(3) A statutory instrument—

- (a) which contains (whether alone or with other provisions) any regulations or orders under this Act, other than orders under section 33 below, and
- (b) which is not subject to any requirement that a draft of the instrument be laid before and approved by a resolution of each House of Parliament,

shall be subject to annulment in pursuance of a resolution of either House of Parliament.”;

and, in consequence, subsection (4) shall cease to have effect.

Textual Amendments

F5 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

Modifications etc. (not altering text)

C1 The text of ss. 6(4), 11(1), 12(2), 13(1)(2), Sch. 1 paras. 5(3), 7, Sch. 2, Sch. 3, Sch. 4 paras. 1–5, 8(2)–(8), 9(1)–(3), 10–15, Sch. 6 paras. 8(2)(4)(6)(9)(10)(12), 13(1)(2), 29, 31 and Sch. 7 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.7.1992

Marginal Citations

M4 1977 c. 5.
M5 1988 c. 7.

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9–12 F6

Textual Amendments

F6 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

Re-establishment courses and resettlement units

- 13 (1) In Schedule 5 to the ^{M6}Supplementary Benefits Act 1976, paragraph 1 (power to provide re-establishment courses and facilities for persons attending them) shall cease to have effect.
- (2) For paragraph 4 of that Schedule (power of Secretary of State to make contributions to voluntary organisations which provide re-establishment courses or resettlement units) there shall be substituted—

“ Grants for voluntary organisations providing places

- 4 (1) The Secretary of State may, upon such terms and subject to such conditions as he may determine, give assistance by way of grant to any local authority or voluntary organisation which provides places for purposes similar to the purposes for which resettlement units are provided by the Secretary of State.
- (2) In this paragraph “local authority” means the council of a county, a district, a region, an islands area or a London borough, or the Common Council of the City of London.”

Modifications etc. (not altering text)

C2 The text of ss. 6(4), 11(1), 12(2), 13(1)(2), Sch. 1 paras. 5(3), 7, Sch. 2, Sch. 3, Sch. 4 paras. 1–5, 8(2)–(8), 9(1)–(3), 10–15, Sch. 6 paras. 8(2)(4)(6)(9)(10)(12), 13(1)(2), 29, 31 and Sch. 7 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.7.1992

Marginal Citations

M6 1976 c. 71.

14–26 F7

Textual Amendments

F7 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

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Benefits for women widowed before 11th April 1988

- 27 (1) The ^{M7}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) ^{F8}
- (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 [^{F9}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) [^{F10}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;
- (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 ^{M8}Interpretation Act 1978 (effect of repeals, substitutions etc).

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Textual Amendments

- F8** 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
- F9** 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)
- F10** 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

- M7** 1987/1854.
- M8** 1978 c. 30.

28 **F11**

Textual Amendments

- F11** 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

Employment related schemes for pensions or other benefits: equal treatment for men and women

29 In Schedule 5 to that Act, in paragraph 5 (unfair maternity provisions) in subparagraph (2)(a), after the word “women” there shall be inserted the word “members”.

30 **F12**

Textual Amendments

- F12** 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

Joint citations

31 In the following enactments, for the words “the Social Security Acts 1975 to 1989” in each place where they occur there shall be substituted the words “the Social Security Acts 1975 to 1990” —

- (a) **F13**
- (c) section 4(5) of the ^{M9}Forfeiture Act 1982;

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- (d) section 5(1)(a) of the ^{M10}Social Security Act 1985;
- (e) paragraph (b) of the definition of “the benefit Acts” in section 84(1) of the 1986 Act.

Textual Amendments

F13 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

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Marginal Citations

M9 1982 c. 34.

M10 1985 c. 53.

Changes to legislation:

There are currently no known outstanding effects for the Social Security Act 1990, SCHEDULE 6.