



# Social Security Act 1973

## 1973 CHAPTER 38

### PART IV

#### MISCELLANEOUS AND GENERAL

##### *Subordinate legislation*

#### 96 Orders and regulations (general provisions).

- (1) Any power under this Act to make [<sup>F1</sup>regulations or] an order <sup>F1</sup> . . . . . <sup>F2F1</sup> . . . shall be exercisable by statutory instrument.
- (2) Except in so far as this Act otherwise provides, any power conferred thereby to make . . . <sup>F3</sup>[<sup>F1</sup>regulations or] an order may be exercised—
  - (a) either in relation to all cases to which the power extends, or in relation to those cases subject to specified exceptions, or in relation to any specified cases or classes of case;
  - (b) so as to make, as respects the cases in relation to which it is exercised—
    - (i) the full provision to which the power extends or any less provision (whether by way of exception or otherwise),
    - (ii) the same provision for all cases in relation to which the power is exercised, or different provision for different cases or different classes of case or different provision as respects the same case or class of case for different purposes of this Act,
    - (iii) any such provision either unconditionally or subject to any specified condition,

and where such a power is expressed to be exercisable for alternative purposes it may be exercised in relation to the same case for any or all of those purposes; and any power to make . . . <sup>F3</sup>[<sup>F1</sup>regulations or] an order for the purposes of any one provision of this Act shall be without prejudice to any power to make [<sup>F1</sup>regulations or] an order for the purposes of any other provision.

*Changes to legislation: There are currently no known outstanding effects for the Social Security Act 1973, Cross Heading: Subordinate legislation. (See end of Document for details)*

- (3) Without prejudice to any specific provision in this Act, any power conferred by this Act to make . . . <sup>F3</sup>, [<sup>F1</sup>regulations or] an order shall include power to make thereby such incidental or supplementary provision as appears to . . . <sup>F3</sup>the authority making the [<sup>F1</sup>regulations or] order . . . <sup>F3</sup>to be expedient for the purposes of the . . . <sup>F3</sup>[<sup>F1</sup>regulations or] order.
- (4) Any power conferred by this Act to make . . . <sup>F3</sup>an order shall include power to vary or revoke any such . . . <sup>F3</sup>order shall include power to vary or revoke any such . . . <sup>F3</sup>order by a subsequent . . . <sup>F3</sup>order.
- (5) . . . . . <sup>F4</sup>
- (6) Any power conferred on the Secretary of State . . . <sup>F5</sup>by any provision of this Act . . . <sup>F3</sup>to make any [<sup>F1</sup>regulations or] order, where the power is not expressed to be exercisable with the consent of the Treasury, shall if the Treasury so direct be exercisable only in conjunction with them.
- (7) . . . . . <sup>F4</sup>

**Textual Amendments**

**F1** Words in s. 96(1) repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I** (with s. 6(8)); S.I. 1994/86, **art. 2**  
 Words "regulations or" in s. 96(1)(2)(3)(6) repealed (E.W.S.) (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.III** (with s. 6(8)); S.I. 1994/86, **art. 2**

**F2** Words repealed by S.I. 1975/1503 (N.I. 15), **Sch. 6**

**F3** Words deleted by Social Security (Consequential Provisions) Act 1975 (c. 18), **Sch. 1** w.e.f. 6.4.75.

**F4** Ss. 96(5),(7),(8), 97(1),(2) repealed by Social Security (Consequential Provisions) Act 1975 (c. 18), **Sch. 1 Pt. I**

**F5** Words repealed by Social Security Amendment Act 1974 (c. 58), **Sch. 2** w.e.f. 17.1.75.

**97 Parliamentary control of orders and regulations.**

- (1) . . . . . <sup>F6</sup>
- [<sup>F7</sup>(3) All [<sup>F8</sup>regulations and]orders made under this Act by the Secretary of State shall be subject to annulment in pursuance of a resolution of either House of Parliament.]
- [<sup>F8</sup>(4) In the case of any regulations laid before Parliament at a time when Parliament is not sitting, the requirements of section . . . <sup>F9</sup>68(2) of this Act shall be deemed to be satisfied as respects either House of Parliament if a copy of the report and the statement referred to in [<sup>F10</sup>that]]subsection are laid before that House not later than the second day on which the House sits after the laying of the regulations.

**Textual Amendments**

**F6** Ss. 96(5),(7),(8), 97(1),(2) repealed by Social Security (Consequential Provisions) Act 1975 (c. 18), **Sch. 1 Pt. I**

**F7** S. 97(3) substituted by Social Security (Consequential Provisions) Act 1975 (c. 18), **Sch. 2 para. 61** w.e.f. 6.4.75.

**F8** S. 97(4) and words in s. 97(3) repealed (E.W.S.) (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.III** (with s. 6(8)); S.I. 1994/86, **art. 2**

**F9** Words deleted by Social Security (Consequential Provisions) Act 1975 (c. 18), **Sch. 1** w.e.f. 6.4.75.

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**Changes to legislation:** *There are currently no known outstanding effects for the Social Security Act 1973, Cross Heading: Subordinate legislation. (See end of Document for details)*

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**F10** Word substituted by Social Security (Consequential Provisions) Act 1975 (c. 18), **Sch. 2 para. 61** w.e.f. 6.4.75.

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**Modifications etc. (not altering text)**

**C1** S. 97(3) amended (E.W.S.) by Social Security Act 1980 (c. 30), **s. 4(2)**

**Changes to legislation:**

There are currently no known outstanding effects for the Social Security Act 1973, Cross  
Heading: Subordinate legislation.