

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Social Security Pensions Act 1975, SCHEDULE 4. (See end of Document for details)

SCHEDULES

SCHEDULE 4

section 65(1),(2).

AMENDMENTS OF ENACTMENTS

Modifications etc. (not altering text)

- C1** The text of Schedules 4 and 5 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

PART I

CONSEQUENTIAL AND OTHER AMENDMENTS

The Bankruptcy (Scotland) Act ^{M1}1913

Marginal Citations

M1 1913 c. 20.

- 1 In section 118(1) of the Bankruptcy (Scotland) Act 1913 for paragraphs (f) and (g) there shall be substituted—
- “(f) all the debts specified in section 153(2) of the Social Security Act 1975, Schedule 3 to the Social Security Pensions Act 1975 and any corresponding provisions in force in Northern Ireland”

The Bankruptcy Act ^{M2}1914

Marginal Citations

M2 1914 c. 59

- 2 In the Bankruptcy Act 1914—
- (a) in section 33(1) for paragraphs (f) and (g) there shall be substituted—
- “(f) all debts specified in section 153(2) of the Social Security Act 1975, Schedule 3 to the Social Security Pensions Act 1975 and any corresponding provisions in force in Northern Ireland”
- (b) in Schedule 2 to that Act, in paragraph 9 for the words “contributions or premiums payable under Part III of the Social Security Act 1973” there

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shall be substituted the words “state scheme premiums payable under Part III of the Social Security Pensions Act 1975 or any corresponding provisions in force in Northern Ireland”.

The Companies Act^{M3} 1948

Marginal Citations

M3 1948 c. 38.

- 3 In section 319(1)(e) of the Companies Act 1948 for the words from “all the debts” onwards, there shall be substituted the words “all the debts specified in section 153(2) of the Social Security Act 1975, Schedule 3 to the Social Security Pensions Act 1975 and any corresponding provisions in force in Northern Ireland”.

The Law Reform (Personal Injuries) Act^{M4} 1948

Marginal Citations

M4 1948 c. 41

- 4 In section 2(1) of the Law Reform (Personal Injuries) Act 1948 for the words “the Social Security Act 1975 or the Social Security (Northern Ireland) Act 1975” there shall be substituted the words “the Social Security Act 1975, the Social Security Pensions Act 1975 or any corresponding provisions in force in Northern Ireland.”

The Administration of Justice Act^{M5} 1964

Marginal Citations

M5 1964 c. 42

- 5 In section 17(2)(b) of the Administration of Justice Act 1964 for the words from “together” onwards there shall be substituted the words “together with—
- (i) secondary class 1 contributions payable in respect of those officers under Part I of the Social Security Act 1975; and
 - (ii) state scheme premiums so payable under Part III of the Social Security Pensions Act 1975”

The Family Allowances Act^{M6} 1965

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M6 1965 c. 53.

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- 6 In section 8(3) of the Family Allowances Act 1965 after the words “the Social Security Act 1975” there shall be inserted the words “, the Social Security Pensions Act 1975”.

The Supplementary Benefit Act^{M7} 1966

(The Ministry of Social Security Act 1966)

Marginal Citations

M7 1966 c. 20

- 7 In section 16(1)(a) of the Supplementary Benefit Act 1966 after the words “the Social Security Act 1975” there shall be inserted the words “or Part II of the Social Security Pensions Act 1975”.
- 8 In section 26(4) of that Act after the words “Part II of the Social Security Act 1975” there shall be inserted the words “or Part II of the Social Security Pensions Act 1975”.
- 9 In paragraph 24 of Schedule 2 to that Act—
- (a) after sub-paragraph (2)(d) there shall be inserted—
 - “(e) any guaranteed minimum pension within the meaning of the Social Security Pensions Act 1975”
 - (b) in sub-paragraph (3) after the words “the Social Security Act 1973” there shall be inserted the words “or Part II of the Social Security Pensions Act 1975”;
 - (c) In sub-paragraphs (4) and (5) for the words “the rate specified in Part I of Schedule 4 to the Social Security Act 1975 for a widow’s pension under that Act” there shall be substituted the words “the sum specified in section 6(1) (a) of the Social Security Pensions Act 1975”.

The Agriculture Act^{M8} 1967

Marginal Citations

M8 1967 c. 22.

- 10 In section 67(3)(e) of the Agriculture Act 1967 after the words “Part II of the Social Security Act 1975” there shall be inserted the words “or Part II of the Social Security Pensions Act 1975”

The Rent Act^{M9} 1968

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M9 1968 c. 23.

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- 11 In section 40(3)(a) of the Rent Act 1968 for the words “Part III of the Social Security Act 1973” there shall be substituted the words “Part III of the Social Security Pensions Act 1975”

The Income and Corporation Taxes Act^{M10} 1970

Marginal Citations

M10 1970 c. 10.

- 12 In section 8(2)(b) of the Income and Corporation Taxes Act 1970 after the words “those Acts” there shall be inserted the words “or the Social Security Pensions Act 1975 or under any provisions in force in Northern Ireland and corresponding to the last-mentioned Act.”

The Administration of Justice Act^{M11} 1970

Marginal Citations

M11 1970 c. 31.

- 13 In Schedule 4 to the Administration of Justice Act 1970 for paragraph 3 there shall be substituted—
- “3 State scheme premiums under Part III of the Social Security Pensions Act 1975.”

The Family Income Supplements Act^{M12}

Marginal Citations

M12 1970 c. 55.

- 14 In section 8(4) of the Family Income Supplements Act 1970 for the words “the Social Security Act 1975” there shall be substituted the words “the Social Security Acts 1975”.

The Attachment of Earnings Act^{M13}

Marginal Citations

M13 1971 c. 32.

- 15 In section 24(2) of the Attachment of Earnings Act 1971 after paragraph (e) there shall be inserted—
- “(f) guaranteed minimum pension within the meaning of the Social Security Pensions Act 1975.”
- 16 In Schedule 2 to that Act for paragraph 3 there shall be substituted—

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“3 State scheme premiums under Part III of the Social Security Pensions Act 1975.”

17 In Schedule 4 to that Act for the words “The Social Security Act 1975 (c. 14)” there shall be substituted the words “The Social Security Acts 1975 (cc. 14 and 60)”.

The Pensions (Increase) Act^{M14} 1971

Marginal Citations

M14 1971 c. 56.

18 In section 5(3) of the Pensions (Increase) Act 1971 for the words “in relation to a particular review under section 2 above” there shall be substituted the words “for any particular purpose”.

19 In section 15(4) of that Act for the words “section 1 or 2 above” there shall be substituted the words “section 1 above or section 59 of the Social Security Pensions Act 1975”.

The Finance Act^{M15} 1971

Marginal Citations

M15 1971 c. 68.

20 In paragraph 1(b) of Schedule 4 to the Finance Act 1971 for the words following “benefit under” there shall be substituted—

- “(i) the Social Security Act 1975,
- (ii) the Social Security Pensions Act 1975,
- (iii) the Social Security (Northern Ireland) Act 1975, or
- (iv) any provisions in force in Northern Ireland and corresponding to provisions of the Social Security Pensions Act 1975,

which is payable to the wife otherwise than by virtue (wholly or partly) of her own contributions.”

The Housing (Financial Provisions) (Scotland) Act^{M16} 1972

Marginal Citations

M16 1972 c. 46.

21 In Schedule 2 to the Housing (Financial Provisions) (Scotland) Act 1972, in paragraph 9(2)(i) for the words “the rate specified in Schedule 4 to the Social Security Act 1975 for a widow’s pension under that Act” there shall be substituted

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the words “the sum specified in section 6(1)(a) of the Social Security Pensions Act 1975.”

The Housing Finance Act^{M17}

Marginal Citations

M17 1972 c. 47.

- 22 In Schedule 3 to the Housing Finance Act 1972, in paragraph 9(2)(j) for the words “the rate specified in Schedule 4 to the Social Security Act 1975 for a widow’s pension under that Act” there shall be substituted the words “the sum specified in section 6(1)(a) of the Social Security Pensions Act 1975.”

The Social Security Act^{M18}

Marginal Citations

M18 1973 c. 38.

- 23 In section 51(7)(a) of the Social Security Act 1973 for the word “recognised” there shall be substituted the words “contracted-out”.
- 24 In section 63 of that Act—
- (a) in subsection (4) for the words “section 51(4)(a) of this Act” there shall be substituted the words “section 40(1) of the Social Security Pensions Act 1975 (in this Act referred to as “the Pensions Act”);
 - (b) In subsection (6) for the word “recognition” there shall be substituted the words “contracting-out”.
- 25 In section 64 of that Act—
- (a) in subsections (3) (the concluding words), (4) and (8) after the words “this Act” there shall be inserted the words “or the Pensions Act”;
 - (b) in subsection (3)(a) for the words “recognised pensionable employment” there shall be substituted the words “contracted-out employment”.
- 26 In section 66 of that Act—
- (a) in subsection (1) after the words “this Act” there shall be inserted the words “or the Pensions Act”;
 - (b) in subsection (7)(a) for the words “recognition certificates” there shall be substituted the words “contracting-out certificates”;
 - (c) after subsection (9) there shall be inserted—
 - “(10) References in this section to the Pensions Act and contracting-out certificates shall respectively include references—

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- (a) to any provisions in force in Northern Ireland and corresponding to provisions of this Part of this Act or the Pensions Act; and
 - (b) to contracting-out certificates within the meaning of any such provisions.”

- 27 In section 67 of that Act—
 - (a) in subsection (1)(a) for the words “recognition certificate” there shall be substituted the words “contracting-out certificate”;
 - (b) in subsection (4) after the words “review under this section” there shall be inserted the words “or any corresponding provision in force in Northern Ireland”.

- 28 In section 69(2)(a) and (5) of that Act for the words “recognised” there shall be substituted the words “contracted-out”.

- 29 In section 86 of that Act—
 - (a) in subsection (1)(a) after the words “this Act” there shall be inserted the words “or Part III or IV of the Pensions Act”;
 - (b) in subsection (1)(b) for the words from “under section 85(1)” onwards there shall be substituted the words “under section 60(2) of the Pensions Act falls to be determined by that Board”;
 - (c) in subsection (1)(c) for the words “either Board” in both places there shall be substituted the words “that Board”;
 - (d) in subsection (3) for the words “either Board” there shall be substituted the words “the Occupational Pensions Board”.

- 30 In section 89(1) and (3)(b) of that Act for the words from “reserve scheme contributions” onwards there shall be substituted the words “state scheme premiums”.

- 31 In section 99(1) of that Act the following definitions shall be inserted at the appropriate points—
 - ““contracted-out employment” and “contracting-out certificate” shall be construed in accordance with section 30 of the Pensions Act and references to a contracted-out scheme and to contracting-out shall be construed in accordance with section 32 of that Act;”

 - ““guaranteed minimum pension” has the meaning given in section 26 of the Pensions Act;”

 - ““the Pensions Act” means the Social Security Pensions Act 1975;”

 - ““requisite benefits” has the meaning given in section 26 of the Pensions Act;”

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““state scheme premium” means a state scheme premium under Part III of the Pensions Act or under any corresponding provision in force in Northern Ireland;”

- 32 In Schedule 16 to that Act—
- (a) in paragraph 4(2) and (3) for the words “minimum benefits for recognition purposes”, “minimum personal pension” and “minimum benefits” there shall be substituted the words “requisite benefits”;
 - (b) in paragraph 7(1)(b) for the words “recognised pensionable employment” there shall be substituted the words “contracted-out employment”;
 - (c) in paragraph 9(2)(a) for the word “recognised” there shall be substituted the words “contracted-out”;
 - (d) in paragraph 23 for the words “recognised pensionable employment” there shall be substituted the words “contracted-out employment”.
- 33 In Schedule 17 to that Act, in paragraph 14, after the word “Act” there shall be inserted the words “or under any corresponding provision in force in Northern Ireland”.

The Employment and Training Act ^{M19}1973

Marginal Citations

M19 1973 c. 50.

- 34 In section 12(2)(a) of the Employment and Training Act 1973 after the words “the Social Security Act 1975” there shall be inserted the words “, the Social Security Pensions Act 1975”.

The National Insurance Act ^{M20}1974

Marginal Citations

M20 1974 c. 14.

- 35 In section 6(1) of the National Insurance Act 1974 there shall be added at the end the words “or the Social Security Pensions Act 1975.”

The Social Security Act ^{M21}1975

Marginal Citations

M21 1975 c. 14

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- 36 In section 4 of the Social Security Act 1975—
- (a) in subsection (1) for the words following paragraph (b) there shall be substituted the words “and those limits shall be such amounts as may be specified for that year under section 1 of the Social Security Pensions Act 1975 (in this Act referred to as “the Pensions Act””;
 - (b) in subsection (6) after the words “subject to regulations under sections 128 to 132 below” there shall be substituted the words “and to section 27 of the Pensions Act”.
- 37 In section 12(1)(f) of that Act after the words “payable to a woman by virtue of her husband’s contributions” there shall be inserted the words “or payable to a man by virtue of his late wife’s contributions”.
- 38 In section 13 of that Act—
- (a) in subsection (2), after paragraph (b) there shall be inserted “and
 - (c) of calculating the additional component in the rate of long-term benefit”
 - (b) at the beginning of subsection (3) there shall be inserted “subject to section 3 of the Pensions Act”.
- 39 In section 14 of that Act—
- (a) for subsection (2)(c) there shall be substituted—
 - “(c) the person—
 - (i) would on that day have been entitled to a Category B retirement pension by virtue of the contributions of his deceased spouse, but
 - (ii) has made an election for the purposes of section 30(3) of this Act and has not revoked the election.”
 - (b) for subsection (6)(a) there shall be substituted—
 - “(a) any increase under section 10(2) of or Schedule 1 to the Pensions Act;”.
- 40 In section 15 of that Act—
- (a) for subsection (2)(b) there shall be substituted—
 - “(b) the person—
 - (i) would on that day have been entitled to a Category B retirement pension by virtue of the contributions of his deceased spouse, but
 - (ii) has made and election of the purposes of section 30(3) of this Act and has not revoked the election.”
 - (b) in subsection (3) for the words from “at the weekly rate” onwards there shall be substituted the words “at the rate specified in section 14 of the Pensions Act”;

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(c) for subsection (4)(a) there shall be substituted—

“(a) any increase under section 10(2) of or Schedule 1 to the Pensions Act;”

41 In section 25(1) of that Act for the words “at the weekly rate specified in relation thereto in Schedule 4, Part I, paragraph 6” there shall be substituted the words “at the rate specified in section 13 of the Pensions Act”.

42 In section 26(1) of that Act for the words “at the weekly rate specified in relation thereto in Schedule 4, Part I, paragraph 7” there shall be substituted the words “at the rate specified in section 13 of the Pensions Act”.

43 In section 28(1) of that Act for the words “at the weekly rate specified in relation thereto in Schedule 4, Part I, paragraph 8” there shall be substituted the words “at the rate specified in section 6 of the Pensions Act”.

44 In section 29(7) of that Act in paragraph (a)(i) the word “lower” shall be omitted and in paragraphs (a)(ii) and (b) for the words “at the higher rate so specified” there shall be substituted the words “at the rate specified in section 7 of the Pensions Act”.

45 In section 30(4)(b) of that Act there shall be inserted at the end the words “or Category A with an increase by virtue of that husband’s contributions under section 10(2) of the Pensions Act”.

46 In section 33(3) of that Act after the words “Schedule 4 to this Act” there shall be inserted “or Part II of the Pensions Act”

47 In section 34(1) of that Act, after paragraph (c), there shall be inserted—

“(cc) mobility allowance”

48 In section 42(3) of that Act after the words “Category A” there shall be inserted “, B”.

49 In section 119(4) of that Act, after paragraph (c) there shall be inserted—

“(cc) modifying those subsections in relation to payments by way of a mobility allowance in respect of any person, where the benefit was not paid to him but to some other person on his behalf”

50 In section 120 of that Act—

(a) in subsection (1) for the words “in respect of contributions” there shall be substituted the words “in respect of Class 2, 3 or 4 contributions”;

(b) in subsection (2) for the words “contributions under this Act” there shall be substituted the words “contributions of those Classes”;

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- (c) subsection (5)(a) shall be omitted.
- 51 In section 125(1) of that Act, for paragraph (a) there shall be substituted—
“(a) Parts I, IV and V of Schedule 4 to this Act and paragraphs 1 to 3, 4 and 5 of Part III; and”
- 52 In section 135(2) of that Act, after paragraph (c), there shall be inserted—
“(cc) a mobility allowance”
- 53 In section 143(1) of that Act, after paragraph (b) there shall be inserted
“(bb) payments to or in respect of persons suffering from physical disability such that they are unable to walk or virtually unable to do so”
- 54 In section 144(2)(c) of that Act after the words “contributions under this Act” there shall be inserted the words “or a state scheme premium under Part III of the Pensions Act”.
- 55 In section 145 of that Act—
(a) in subsection (1)(a) after the words “this Act” there shall be inserted the words “or any state scheme premiums under Part III of the Pensions Act”;
(b) in subsection (2)(e) after the word “contributions” there shall be inserted the words “or premiums”.
- 56 In section 146(1) of that Act after the words “Act to pay” there shall be inserted the words “or any state scheme premium which is payable by him under Part III of the Pensions Act”.
- 57 In section 148(1)(b) of that Act after “Revenue)” there shall be inserted the words “or of a state scheme premium”.
- 58 In section 150(1) of that Act after the word “contribution” (in both places) there shall be inserted the words “or premium”.
- 59 In section 151 of that Act—
(a) in subsection (1) for the words “reserve scheme contributions or premiums under the 1973 Act” there shall be substituted the words “state scheme premiums under Part III of the Pensions Act”;
(b) in subsection (3) for the words “reserve scheme contributions or premiums” there shall be substituted the words “state scheme premiums”.
- 60 In section 152 of that Act for subsection (8) there shall be substituted—

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“(8) Sums recovered by the Secretary of State under the provisions mentioned in subsection (4) above, so far as representing state scheme premiums, are to be treated for all purposes of the Pensions Act (including in particular sections 47 and 64(3) as premiums paid to the Secretary of State under that Act in respect of the persons in respect of whom they were originally payable”

61 In Schedule 1 to that Act, in paragraph 6(1)(f) for the words “section 8(3) of this Act” and “reserve scheme contributions or a reserve scheme premium” there shall be substituted respectively the words “section 5 of the Pensions Act” and “a state scheme premium”.

62 In Part I of Schedule 4 to that Act, for paragraph 9 there shall be substituted—

“ 9. Category B retirement pension “ £6.90 ”
where section 29(7)(a)(i) applies. ”

63 In Part V of Schedule 4 to that Act, in paragraph 13 for the words “the weekly rate for the time being of a widow’s pension as specified in Part I of this Schedule, paragraph 7” there shall be substituted the words “the sum specified in section 6(1) (a) of the Pensions Act”.

64 In Schedule 20 to that Act the following definitions shall be inserted at the appropriate points—

and in the second column of that Schedule in the definition of “week” after “45(3)” there shall be inserted “of this Act and section 35(6) of the Pensions Act”

“Long-term benefit”	“ A Category A or Category B retirement pension, a widowed mother’s allowance, a widow’s pension or an invalidity pension ”
“The Pensions Act”	“ The Social Security Pensions Act 1975. ”
“Qualifying earnings factor”	“ An earnings factor equal to the lower earnings limit for the tax year in question multiplied 2 ”,

The Social Security (Consequential Provisions) Act^{M22} 1975

Marginal Citations

M22 1975 c. 18.

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- 65 In Schedule 3 to the Social Security (Consequential Provisions) Act 1975, in paragraph 9(1)(b) for the words “those schemes and provisions” there shall be substituted the words “that scheme”.

PART II

MINOR CORRECTIONS OF 1975 CONSOLIDATION ACTS

The Social Security Act ^{M23}1975

Marginal Citations

M23 1975 c. 14.

- 66 In section 142(4)(b) of the Social Security Act 1975, for the words “Great Britain” and “Northern Ireland” there shall be substituted respectively the words “Northern Ireland” and “Great Britain”.
- 67 In section 152(2) of that Act, for the words “Criminal Justice Act 1948” there shall be substituted the words “Powers of Criminal Courts Act 1973”.

The Social Security (Northern Ireland) Act ^{M24}1975

Marginal Citations

M24 1975 c. 15.

- 68 In section 96(1) of the Social Security (Northern Ireland) Act 1975, for the words “95(1)(a) or (b)” there shall be substituted the words “95(1)(a) or (c)”.
- 69 In section 133(3)(b) of that Act, for the words “Northern Ireland” and “Great Britain” there shall be substituted respectively the words “Great Britain” and “Northern Ireland”.
- 70 In section 138(5) of that Act, for the word “paragraph” there shall be substituted the word “subsection”.

The Social Security (Consequential Provisions) Act ^{M25}

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M25 1975 c. 18.

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- 71 In Schedule 3 to the Social Security (Consequential Provisions) Act 1975—
- (a) for paragraph 12(4) there shall be substituted—
- “(4) In paragraph 10 of this Schedule as it applies to Northern Ireland—
- (a) the first reference in sub-paragraphs (a) and (b) to an Order in Council includes a reference to an order made by the Secretary of State; and
- (b) in sub-paragraph (b) the words “and any regulations having effect by virtue of section 22(2) of the Family Allowances Act” shall be omitted.”
- (b) after paragraph 13(1) there shall be inserted—
- “(1A) An order made by the Secretary of State, under an enactment repealed by this Act, for any purpose for which an Order in Council may be made under one of the consolidations shall not be invalidated by the repeal but shall have effect as if it were an Order in Council so made.”
- (c) in paragraph 31, there shall be inserted at the end of the Table—

“ The words from “by statutory instrument” onwards (in paragraph 30(2)). ”

“ The words “by statutory rule for the purposes of the Statutory Rules Act (Northern Ireland) 1958; and any statutory rule containing any such regulations shall be laid before the Northern Ireland Assembly after being made.”

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