



Supplementary Benefits Act 1976

CHAPTER 71

SUPPLEMENTARY BENEFITS ACT 1976

PART I

SUPPLEMENTARY BENEFITS

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SCHEDULES

SCHEDULE 1 — Provisions for Determining Right to and Amount of Supplementary Benefits

PART I — GENERAL

Amount of supplementary benefits and calculation of requirements and resources

- 1 (1) Subject to the following provisions of this Part of...

Negligible amounts

2 (1) Where the weekly amount of any supplementary benefit would...

Aggregation of requirements and resources

3 (1) Where— (a) a husband and wife are members of...

Adjustment for exceptional circumstances

4 (1) Where there are exceptional circumstances— (a) supplementary benefit may...

PART II — CALCULATION OF REQUIREMENTS

Application of paragraphs 7 to 11

5 (1) Subject to sub-paragraph (2) below, the amounts specified in...

Amounts preceded by A, B or C

6 (1) Where, in paragraphs 7 and 8 of this Schedule,...

Normal requirements

7 Requirements of persons, other than blind persons— £ (a) husband...

Blind persons

8 Requirements of persons who are or include blind persons— £...

Persons disqualified for unemployment benefit

9 (1) If a person's right to a supplementary allowance is...

Attendance requirements

10 (1) The amounts applicable under paragraphs 5 to 9 of...

Rent

11 (1) The amounts applicable under paragraphs 5 to 10 of...

Trade disputes

12 Requirements of persons falling within paragraph 3 of this Schedule,...

Persons in local authority homes

13 Requirements of a person for whom accommodation is provided under...

Persons in hospital

14 Requirements of a person residing as a patient in any...

Persons paying for board and lodging

15 Requirements of a person paying inclusive charge for board and...

Persons in legal custody

- 16 Requirements of a person in prison or otherwise detained in...
PART III — CALCULATION OF RESOURCES

Disregard of capital value of dwelling

- 17 In taking into account the value to any person of...

Resources wholly disregarded

- 18 There shall be wholly disregarded— (a) any maternity grant under...
19 If the value of the capital resources taken into account...

Calculation of income from capital resources

- 20 The capital resources taken into account, together with any income...

Net weekly earnings

- 21 For the purposes of this Schedule a person's net weekly...

Earnings

- 22 (1) Subject to sub-paragraphs (2) and (3) below, the weekly...

Disregard of £4 a week of certain income

- 23 (1) Subject to the provisions of this paragraph and of...
24 (1) In the case of a person who has preserved...

Limited disregard of occupational pensions etc.

- 25 (1) There shall not be disregarded under paragraph 23 of...

Specific resources falling to be treated as income

- 26 (1) In calculating a person's resources for the purposes of...

Further reduction of resources

- 27 Any resources not specified in the foregoing provisions of this...

Resources deliberately abandoned

- 28 If a person has deprived himself of any resources for...

Discretionary trusts

- 29 Any sum which is held on a discretionary trust for...

Attribution of assets

- 30 (1) Subject to paragraph 29 of this Schedule and to...

SCHEDULE 2 — Recovery of Sums Paid by way of Supplementary Benefit on
Awards made by Virtue of Section 9(1) of this Act

PART I — GENERAL

- 1 (1) In this Schedule— " available earnings ", in relation...

PART II — RECOVERY OF SUPPLEMENTARY BENEFIT PAID

Service and contents of deduction notices

- 2 (1) Where the Secretary of State receives a notification of...

Period for which deduction notice has effect

- 3 (1) A deduction notice shall come into force when it...

Effect of deduction notice

- 4 (1) While a deduction notice is in force in respect...

Power to serve further deduction notice in certain circumstances

- 5 (1) Where a deduction notice has ceased to have effect...

Liability of employers

- 6 (1) A person who by virtue of a deduction notice...

Right of Secretary of State to recover directly from claimant

- 7 (1) Where the Secretary of State has received a notification...

Increase of amount of award on appeal or review

- 8 If, after the Secretary of State has received a notification...

PART III — PURPOSES FOR WHICH PROVISION MAY BE MADE BY THE REGULATIONS

- 1 Any purpose for which provision is, by section 9 of...
2 For requiring, in such cases as may be prescribed, notice...
3 For requiring or enabling the Commission, in such circumstances as...
4 For enabling the Secretary of State to vary any deduction...
5 For modifying the operation of Part II of this Schedule,...

SCHEDULE 3 — Constitution and Proceedings of Supplementary Benefits Commission

- 1 (1) The Supplementary Benefits Commission shall continue by that name...
2 Every member of the Commission shall hold and vacate office...
3 A person who has ceased to be a member of...
4 The Commission may act notwithstanding any vacancy among their members...
5 The procedure and quorum of the Commission shall be such...
6 The Secretary of State may out of moneys provided by...
7 Every document purporting to be an instrument issued by the...

SCHEDULE 4 — Constitution, Jurisdiction and Proceedings of Appeal Tribunals

- 1 Each of the tribunals shall consist of a chairman and...
2 Each tribunal shall have jurisdiction in respect of such district...
3 (1) The chairman and other members of every tribunal shall...
4 The Secretary of State shall pay to the chairman or...
5 The Secretary of State shall assign to each tribunal a...
6 (1) The Secretary of State may make rules—

SCHEDULE 5 — Re-Establishment Centres and Reception Centres

Re-establishment centres

- 1 (1) The Commission may provide centres, known as re-establishment centres,...

Reception centres

- 2 (1) It shall be the duty of the Commission to...

Accommodation in reception centres in special cases

- 3 (1) This paragraph applies to reception centres (in this paragraph...

Contributions to centres maintained by voluntary organisations

- 4 The Commission may make contributions to the funds of any...

SCHEDULE 6 — Transitional Provisions and Savings

PART I

General Provisions

- 1 (1) In so far as any order, rule, regulation, appointment,...
- 2 (1) Paragraph 1 above applies in particular to any claim...
- 3 Any order made after the commencement of this Act, and...

PART II

Specific Provisions (including some retained from previous Acts)

- 4 The following enactments as having effect at the commencement of...
- 5 Any enactment or instrument that is to be construed in...
- 6 (1) The following provisions of this paragraph shall apply where,...
- 7 Any appeal which, by virtue of paragraph 2 of Schedule...
- 8 (1) Any proceedings for the recovery of a sum which,...

SCHEDULE 7 — Consequential Amendments

Polish Resettlement Act 1947

- 1 In section 3 of the Polish Resettlement Act 1947—
- 2 In the Schedule to that Act, in paragraph 4—

National Assistance Act 1948

- 3 In section 22 of the National Assistance Act 1948—
- 4 In section 43 of that Act, there shall be inserted...
- 5 In section 53 of that Act, for the words "...
- 6 In Schedule 6 to that Act— (a) in paragraph 4(2),...

Maintenance Orders Act 1950

- 7 In section 3(1) of the Maintenance Orders Act 1950, the...
- 8 In section 4 of that Act— (a) at the end...
- 9 In section 8(1) of that Act, after the words "Children...
- 10 In section 9 of that Act— (a) at the end...

- 11 In section 11(1) of that Act, the word " or...
- 12 In section 12 of that Act— (a) at the end...
- 13 In section 16(2) of that Act— (a) at the end...

Ecclesiastical Jurisdiction Measure 1963

- 14 In section 55(7) of the Ecclesiastical Jurisdiction Measure 1963, as...

Legal Aid (Scotland) Act 1967

- 15 In section 4(5) of the Legal Aid (Scotland) Act 1967—...

Income and Corporation Taxes Act 1970

- 16 In section 219(2) of the Income and Corporation Taxes Act...

Administration of Justice Act 1970

- 17 In Schedule 8 to the Administration of Justice Act 1970—...

Local Authority Social Services Act 1970

- 18 In Schedule 1 to the Local Authority Social Services Act...

Family Income Supplements Act 1970

- 19 In section 7(3) of the Family Income Supplements Act 1970,...

Attachment of Earnings Act 1971

- 20 In Schedule 1 to the Attachment of Earnings Act 1971—...
- 21 In Schedule 4 to that Act (as having effect in...

Tribunals and Inquiries Act 1971

- 22 In the Tribunals and Inquiries Act 1971—

Housing (Financial Provisions) (Scotland) Act 1972

- 23 In section 22(1) of the Housing (Financial Provisions) (Scotland) Act...
- 24 In paragraph 9(2)(g) of Schedule 2 to that Act, for...
- 25 In Schedule 3 to that Act— (a) in paragraph 17(1),...

Housing Finance Act 1972

- 26 In section 26(1) of the Housing Finance Act 1972, for...
- 27 In paragraph 9(2)(g) of Schedule 3 to that Act, for...
- 28 In Schedule 4 to that Act— (a) in paragraph 16(1),...

Affiliation Proceedings (Amendment) Act 1972

- 29 In section 3(1)(a) of the Affiliation Proceedings (Amendment) Act 1972,...

National Health Service Reorganisation Act 1973

- 30 In subsection (1) of section 50 of the National Health...

Employment and Training Act 1973

- 31 In section 12(2)(b) of the Employment and Training Act 1973,...

Local Government (Scotland) Act 1973

- 32 In section 113(1) of the Local Government (Scotland) Act 1973,...

Legal Aid Act 1974

- 33 In each of the following provisions of the Legal Aid...
34 In section 11(6) of that Act— (a) for the words...
35 In paragraph 3(c) of Part I of Schedule 1 to...

National Insurance Act 1974

- 36 In section 6(1) of the National Insurance Act 1974, for...

Social Security Act 1975

- 37 In section 80(2)(b) of the Social Security Act 1975, for...

Criminal Procedure (Scotland) Act 1975

- 38 In Schedule 4 to the Criminal Procedure (Scotland) Act 1975,...

House of Commons Disqualification Act 1975

- 39 In Part III of Schedule 1 to the House of...

Employment Protection Act 1975

- 40 In section 112 of the Employment Protection Act 1975—
41 In section 113 of that Act, for the words "the..."

SCHEDULE 8 — Repeals

PART I — IMMEDIATE REPEALS

PART II — DEFERRED REPEALS