



Social Security Act 1980

1980 CHAPTER 30

Miscellaneous

16 Amendments of Pensions Appeal Tribunals Act 1943.

- (1) Her Majesty may by Order in Council provide for an appeal under any provision of the ^{M1}Pensions Appeal Tribunals Act 1943 (hereafter in this section referred to as “the Act”) in respect of a claim for benefit under any instrument mentioned in the Act to be brought or continued by another person after the death of the claimant; and—
 - (a) such an Order may make such modifications of the Act as Her Majesty considers appropriate for the purposes of this subsection; but
 - (b) nothing in this subsection shall be construed as prejudicing the generality of the power to make rules which is conferred by paragraph 5 of the Schedule to the Act.
- (2) An Order in Council under this section—
 - (a) may contain such incidental and supplemental provisions as Her Majesty considers appropriate; and
 - (b) shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (3) In section 5(1) of the Act (which enables a Pensions Appeal Tribunal to uphold an interim assessment by the Minister of a degree of disablement or to assess the disablement at such degree lower than that specified by the Minister as they think proper) for the words from “assess” to “proper” there shall be substituted the words “alter the assessment in one or both of the following ways, namely—
 - (a) by increasing or reducing the degree of disablement it specifies; and
 - (b) by reducing the period for which the assessment is to be in force.”.

^{F1}(4)

- (5) Section 8(3)(a) of the Act (which is spent) shall be omitted.

Changes to legislation: There are currently no known outstanding effects for the Social Security Act 1980, Section 16. (See end of Document for details)

(6) For paragraph (b) of paragraph 5(4) of the Schedule to the Act (which requires rules to provide for payments by the Tribunal of certain expenses of an appellant) there shall be substituted the following paragraph—

“(b) sums, in respect of expenses, allowances and fees connected with appeals to the Tribunal, to such persons and in such circumstances as are specified in the rules and of such amounts as are determined by the Lord Chancellor with the consent of the Minister for the Civil Service; and” and accordingly in section 14 of the Act (under which the Act has effect, in its application to Northern Ireland, with the substitution of a reference to the Lord Chief Justice for Northern Ireland for any reference to the Lord Chancellor except in paragraph 7A of the Schedule to the Act) for the words “paragraph 7A” there shall be substituted the words “paragraph 5(4)(b)”.

Textual Amendments

F1 S. 16(4) repealed (6.4.2005) by [Armed Forces \(Pensions and Compensation\) Act 2004 \(c. 32\), s. 8, Sch. 3](#); S.I. 2005/356, art. 2(2), Sch. 2

Modifications etc. (not altering text)

C1 The text of ss.3(4)(8)(9)(12), 4(1), 6(1)(3), 9(6), 16(3)–(6), 21(4), Sch. 2 para. 32, Sch. 2 Pt. II, Schs. 4, 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.

Marginal Citations

M1 1943 c. 39.

Changes to legislation:

There are currently no known outstanding effects for the Social Security Act 1980, Section 16.