



# Social Security Act 1985

## 1985 CHAPTER 53

### PART IV

#### MISCELLANEOUS AND SUPPLEMENTARY

##### *Supplementary*

#### **26 Regulations about occupational pensions.**

- (1) Section 61(2) of the <sup>M1</sup>Social Security Pensions Act 1975 (reference of regulations to Occupational Pensions Board) shall not apply to regulations—
- (a) made under section 44A or 52C of or Schedule 1A to the Social Security Pensions Act 1975 before the expiry of the period of six months beginning with the commencement of section 2 above;
  - (b) made under any enactment before the expiry of the period of six months beginning with the commencement of section 2 above and contained in a statutory instrument which states that it contains only provisions consequential on that section or such provisions and regulations made under section 44A or 52C of or Schedule 1A to the Social Security Pensions Act 1975;
  - (c) made under any of sections 56A to 56E, 56H and 56J of the Social Security Pensions Act 1975 before the expiry of the period of six months beginning with the commencement of section 3 above;
  - (d) made under any enactment before the expiry of the period of six months beginning with the commencement of section 3 above and contained in a statutory instrument which states that it contains only provisions consequential on that section or such provisions and regulations made under any of sections 56A to 56E, 56H and 56J of the Social Security Pensions Act 1975;
  - (e) made under section 35(8) of the Social Security Pensions Act 1975 before the expiry of the period of six months beginning with the commencement of section 4 above;

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- (f) made under any enactment before the expiry of the period of six months beginning with the commencement of section 4 above and contained in a statutory instrument which states that it contains only provisions consequential on that section or such provisions and regulations made under section 35(8) of the Social Security Pensions Act 1975;
  - (g) made under section 41B(3) of the Social Security Pensions Act 1975 before the expiry of the period of six months beginning with the commencement of section 6(5) above; or
  - (h) made under any enactment before the expiry of the period of six months beginning with the commencement of section 6(5) above and contained in a statutory instrument which states that it contains only provisions consequential on that subsection or such provisions and regulations made under section 41B(3) of the <sup>M2</sup>Social Security Pensions Act 1975.
- (2) The references in subsection (1) above to the commencement of section 3 above are references, in relation to any regulations, to the commencement of that section so far as it relates to the provisions under which the regulations are made.
- (3) The references in subsection (1) above to the commencement of section 4 above are references to the commencement of that section so far as it relates to Part II of Schedule 3 to this Act.

**Marginal Citations**

**M1** 1975 c. 60.  
**M2** 1975 c. 60.

27 ..... F1

**Textual Amendments**

**F1** S. 27 repealed by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#)

**28 Financial provision.**

- (1) Any expenses of a Minister of the Crown incurred in consequence of the provisions of this Act, including any increase attributable to those provisions in sums payable under any other Act, shall be defrayed out of money provided by Parliament.
- (2) All fees paid to the registrar of occupational pension schemes shall be paid into the Consolidated Fund.

**29 Minor and consequential amendments and repeals.**

- (1) The enactments mentioned in Schedule 5 to this Act shall have effect with the amendments there specified.
- (2) The enactments mentioned in Schedule 6 to this Act are repealed to the extent specified in the third column of that Schedule.

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

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**30** ..... F2

**Textual Amendments**

**F2** S. 30 repealed by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#)

**31**     **Extent.**

- (1) ..... F3
- (2) Section 29 above extends to Northern Ireland so far as it relates—
- (a) to paragraphs 1, 2, 35, 37 and 39 of Schedule 5 to this Act; and
  - (b) to the repeal in Schedule 6 to this Act of paragraph 6 of Schedule 7 to the<sup>M3</sup>Health and Social Security Act 1984.
- (3) Section 30 above, this section, and sections 32 and 33 below extend to Northern Ireland.
- (4) Section 23 above extends to Northern Ireland and the Isle of Man.
- (5) Except as provided by subsections (1) to (4) above, this Act extends to England and Wales and Scotland only.

**Textual Amendments**

**F3** S. 31(1) repealed by [Social Security Act 1990 \(c. 27\)](#), [Sch. 7](#)

**Marginal Citations**

**M3** 1984 c. 48.

**32**     **Commencement.**

- (1) Subject to the following provisions of this section, the provisions of this Act shall come into force on such day as the Secretary of State may by order made by statutory instrument appoint and different days may be appointed in pursuance of this section for different provisions or different purposes of the same provision.
- (2) The following provisions of this Act—
- section 4, so far as it relates to Part I of Schedule 3;
  - section 6(5) and (6);
  - section 8;
  - sections 10 and 11;
  - section 13(6) and (7);
  - ..... F4.;
  - section 19;
  - ..... F4.;
  - sections 23 to 28;
  - section 29(1) so far as it relates to paragraphs 22, 34, 36 and 37 of Schedule 5;
  - section 29(2), so far as it relates to the repeals in—

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section 41D of the <sup>M4</sup>Social Security Pensions Act 1975;  
section 22(7) of the <sup>M5</sup>Social Security (Miscellaneous Provisions) Act 1977;  
the <sup>M6</sup>Social Security Act 1981; and  
the Health and Social Security Act 1984;  
sections 30 and 31;  
this section; and  
section 33,

shall come into force on the day this Act is passed.

- (3) The following provisions of this Act—  
section 17;  
section 29(1), so far as it relates to paragraphs 7, 8 and 14 of Schedule 5;  
section 29(2), so far as it relates to the repeals in sections 79, 82 and 90 of the <sup>M7</sup>Social Security Act 1975,  
shall come into force at the end of the period of 6 weeks beginning with the day on which this Act is passed.
- (4) ..... <sup>F5</sup>
- (5) Sections 18 and 20 above shall come into force on 6th April 1986.
- (6) The Secretary of State may by regulations made by statutory instrument make such transitional and consequential provision (including provision modifying any enactment contained in this or any other Act) or saving as he considers necessary or expedient in connection with the coming into force of any provision of this Act or the operation of any enactment which is repealed or amended by a provision of this Act during any period when the repeal or amendment is not wholly in force.
- (7) Regulations under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (8) [<sup>F6</sup>Section 175(3) and (4) of the Social Security Contributions and Benefits Act 1992](which among other things make provision about the extent of powers to make regulations) shall apply to the power to make regulations conferred by this section as they apply to any power to make regulations conferred by that Act.

#### Textual Amendments

- F4** Words repealed by [Social Security Act 1986 \(c. 50\)](#), **Sch. 11**
- F5** [S. 32\(4\)](#) repealed, and deemed never to have been enacted, by [Social Security Act 1990 \(c. 27\)](#), **s. 5(3)** and [Sch. 7](#) (retrospectively superseded by [s. 165B\(3\) and \(4\)](#) of [Social Security Act 1975](#))
- F6** Words substituted by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#), **Sch. 2**, para. 68

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

- C1** Power conferred by [s. 32\(1\)](#) fully exercised by [S.I. 1985/1125](#) and [S.I. 1985/1364](#)

#### Marginal Citations

- M4** [1975 c. 60](#).
- M5** [1977 c. 5](#).
- M6** [1981 c. 33](#)
- M7** [1975 c. 14](#).

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### **33 Citation.**

- (1) This Act may be cited as the Social Security Act 1985.
- (2) This Act may be cited together with—
  - (a) the Social Security Acts 1975 to 1984; and
  - (b) section 25 of the <sup>M8</sup>Health and Social Services and Social Security Adjudications Act 1983 and Schedule 8 to that Act,as the Social Security Acts 1975 to 1985.

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#### **Marginal Citations**

**M8** 1983 c. 41.

**Status:**

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

**Changes to legislation:**

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