

Changes to legislation: There are currently no known outstanding effects for the Social Security Act 1985, SCHEDULE 5. (See end of Document for details)

SCHEDULES

SCHEDULE 5

Section 29(1).

MINOR AND CONSEQUENTIAL AMENDMENTS

Modifications etc. (not altering text)

- C1** The text of Sch. 3, Sch. 4 and Sch. 5 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Social Security Act 1973 (c.38)

F1

Textual Amendments

- F1** Sch. 5 para. 1 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt.I (with s. 6(8)); S.I. 1994/86, art. 2

F2

Textual Amendments

- F2** Sch. 5 para. 2 repealed (E.W.S) (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt.III (with s. 6(8)); S.I. 1994/86, art. 2 and repealed (N.I) (7.2.1994) by 1993 c. 49, s. 182, Sch. 4 Pt.I; S.R. 1994/17, art. 2

F3

Textual Amendments

- F3** Sch. 5 para. 3 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt.I (with s. 6(8)); S.I. 1994/86, art. 2

F4

Textual Amendments

- F4** Sch. 5 para. 4 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt.I (with s. 6(8)); S.I. 1994/86, art. 2

Social Security Act 1975 (c.14)

5 **F5**

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Textual Amendments

F5 Sch. 5 para. 5 repealed by Social Security (Consequential Provisions) Act 1992 (c. 6)

- 6 In section 13 of that Act—
 - (a) in paragraph (a) of subsection (5) (earnings factors), after the word “rise” there shall be inserted the words “, subject to subsection (5A) below,”; and
 - (b) the following subsection shall be inserted after that subsection—

“(5A) The Secretary of State may by regulations make such modifications of subsection (5)(a) above as appear to him to be appropriate in consequence of section 4(6B) above.”.

- 7 The following subsection shall be added at the end of section 18 of that Act (duration of unemployment benefit)—

“(4) Regulations may provide for treating a person for the purposes of this section as having been entitled to unemployment benefit for any day if he would have been entitled to it but for—

- (a) failure to make a claim; or
- (b) failure to make a claim within the prescribed time;

but a person is not to be so treated where he shows that he did not intend, by so failing, to avoid the necessity of requalifying for benefit.”.

8, 9. F6

Textual Amendments

F6 Sch. 5 paras. 8, 9 repealed by Social Security (Consequential Provisions) Act 1992 (c. 6)

- 10 The following paragraph shall be substituted for subsection (1)(d) of section 124 of that Act (power to increase rates of benefit)—
 - “(d) section 30(1) above”.

11 F7

Textual Amendments

F7 Sch. 5 para. 11 repealed by Social Security (Consequential Provisions) Act 1992 (c. 6)

- 12 In section 167 of that Act (parliamentary control or orders and regulations)—
 - (a) in subsection (2), for “120 or 122” there shall be substituted “4, 120, 122 or 123A”; and
 - (b) in subsection (3)—
 - (i) after “section” there shall be inserted “4”; and
 - (ii) after “122” there shall be inserted “, 123A”.

13—15. F8

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Textual Amendments

F8 Sch. 5 paras. 13–15 repealed by Social Security (Consequential Provisions) Act 1992 (c. 6)

- 16 In section 6 of that Act (rate of Category A retirement pension)—
- (a) in subsection (5), for the word “References”, in the first place where it occurs, there shall be substituted the words “Subject to subsection (5A) below, references”; and
 - (b) the following subsection shall be inserted after that subsection—

“(5A) The Secretary of State may prescribe circumstances in which pensioners’ earnings factors for any relevant year may be calculated in such manner as may be prescribed.”.

^{F9}17

Textual Amendments

F9 Sch. 5 para. 17 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt.I (with s. 6(8)); S.I. 1994/86, art. 2

^{F10}18

Textual Amendments

F10 Sch. 5 para. 18 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt.I (with s. 6(8)); S.I. 1994/86, art. 2

- 19 The following subsection shall be substituted for subsection (5) of section 36 of that Act—
- “(5) The widow’s pension need not be in accordance with subsection (2) above in case of the earner dying after termination of his service in the relevant employment having completed in that employment less than five years’ qualifying service for the purposes of Schedule 16 to the Social Security Act 1973 (preservation).”.

^{F11}20

Textual Amendments

F11 Sch. 5 para. 20 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt.I (with s. 6(8)); S.I. 1994/86, art. 2

^{F12}21

Textual Amendments

F12 Sch. 5 para. 21 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt.I (with s. 6(8)); S.I. 1994/86, art. 2

22 ^{F13}

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Textual Amendments

F13 Sch. 5 para. 22 repealed by Social Security Act 1990 (c. 27), Sch. 7

^{F14}23

Textual Amendments

F14 Sch. 5 para. 23 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt.I (with s. 6(8)); S.I. 1994/86, art. 2

^{F15}24

Textual Amendments

F15 Sch. 5 para. 24 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt. I (with s. 6(8)); S.I. 1994/86, art. 2

^{F16}25

Textual Amendments

F16 Sch. 5 para. 25 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt.I (with s. 6(8)); S.I. 1994/86, art. 2

^{F17}26

Textual Amendments

F17 Sch. 5 para. 26 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt.I (with s. 6(8)); S.I. 1994/86, art. 2.

^{F18}27

Textual Amendments

F18 Sch. 5 para. 27 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt.I (with s. 6(8)); S.I. 1994/86, art. 2.

28 In section 46 of that Act (provisions as to actuarial tables) the words “sections 44(7), 44A(3) and 45(4)” shall be substituted—
(a) in subsection (1), for the words “sections 44(7) and 45(4)”; and
(b) in subsection (3), for the words “section 44(7) and 45(4)”.

^{F19}29

Textual Amendments

F19 Sch. 5 para. 29 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt.I (with s. 6(8)); S.I. 1994/86, art. 2.

^{F20}30

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Textual Amendments

F20 Sch. 5 para. 30 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt.I (with s. 6(8)); S.I. 1994/86, art. 2

^{F21}31

Textual Amendments

F21 Sch. 5 para. 31 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt.I (with s. 6(8)); S.I. 1994/86, art. 2

^{F22}32

Textual Amendments

F22 Sch. 5 para. 32 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt.I (with s. 6(8)); S.I. 1994/86, art. 2

33 The words “under section 38 of this Act” shall be omitted from subsection (5)(b) of section 59 of that Act (increase of official pensions).

^{F23}34

Textual Amendments

F23 Sch. 5 para. 34 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt.I (with s. 6(8)); S.I. 1994/86, art. 2

35 In subsection (4) of section 68 of that Act (provisions extending to Northern Ireland) for the words “Section 57 of this Act extends” there shall be substituted the words “Sections 56B, 56N and 57 of this Act extend”.

^{F24}36

Textual Amendments

F24 Sch. 5 para. 36 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt.I (with s. 6(8)); S.I. 1994/86, art. 2

Social Security Act 1980 (c.30)

37 In section 9(7) of the Social Security Act 1980, for the words “the Social Security Acts 1975 to 1984”, in both places where they occur, there shall be substituted with words “the Social Security Acts 1975 to 1985”.

Social Security and Housing Benefits Act 1982 (c.24)

38 In section 20 of the Social Security and Housing Benefits Act 1982 (offences and penalties) “3(4A)(b)” shall be inserted after “section”.

Health and Social Security Act 1984 (c.48)

39 In section 26(5) of the Health and Social Security Act 1984, for the words from “and” in the first place where it occurs to “extend” there shall be substituted the words “extends”.

Changes to legislation: There are currently no known outstanding effects for the Social Security Act 1985, SCHEDULE 5. (See end of Document for details)

Social Security (Contributions) Regulations 1979 (S.I. 1979/591)

- 40 In regulation 98(c) of the Social Security (Contributions) Regulations 1979 (amount of Class 2 contribution of share fishermen) “£6.30” shall be substituted for “£7.55”.

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