



Social Security Act 1986

1986 CHAPTER 50

PART VII

MISCELLANEOUS, GENERAL AND SUPPLEMENTARY

Miscellaneous

66— F1
69.

Textual Amendments

F1 The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); ss. 56(2)(b)(3)(b)(4)–(4B), 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); ss. 62–69, 70(1), 73, 74, 79(3)(4); words in s. 80(1); ss. 81, 83(2)(3)(b)–(e); words in s. 83(5); words in s. 84(1); ss. 84(3), 85(1)(a)–(c)(f)(3)(c)(d)(4); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); [Sch. 3](#) except para. 17; [Sch. 4](#); [Sch. 5](#) paras 2–20 and Pt. II paras (b)(c); [Sch. 6](#); [Sch. 7](#); [Sch. 8](#) paras 1–3, 5–7; [Sch. 10](#) paras 10, 34, 40, 48, 54, 62–67, 68(2), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103(a)(b), 104–107, 108(a)

70 **Child benefit in respect of children educated otherwise than at educational establishments.**

- (1) F2
- (2) Regulations purporting to be made under section 24(1) of that Act and made before the passing of this Act shall be treated as validly made.

Changes to legislation: There are currently no known outstanding effects for the Social Security Act 1986, Cross Heading: Miscellaneous. (See end of Document for details)

Textual Amendments

F2 The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); [ss. 56\(2\)\(b\)\(3\)\(b\)\(4\)–\(4B\)](#), 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); [ss. 62–69, 70\(1\), 73, 74, 79\(3\)\(4\)](#); words in s. 80(1); [ss. 81, 83\(2\)\(3\)\(b\)–\(e\)](#); words in s. 83(5); words in s. 84(1); [ss. 84\(3\), 85\(1\)\(a\)–\(c\)\(f\)\(3\)\(c\)\(d\)\(4\)](#); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); [Sch. 3](#) except para. 17; [Sch.4](#); [Sch. 5 paras 2–20](#) and Pt. II paras (b) (c); [Sch. 6](#); [Sch. 7](#); [Sch. 8 paras 1–3, 5–7](#); [Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68\(2\), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103\(a\)\(b\), 104–107, 108\(a\)](#)

Modifications etc. (not altering text)

C1 [S. 70\(2\)](#): [Child Benefit Act 1975 \(c. 61\)](#)

71, 72. ^{F3}

Textual Amendments

F3 [Ss. 71, 72](#) repealed (6.4.1992) by [Disability Living Allowance and Disability Working Allowance Act 1991 \(c. 21, SIF 113:1\)](#), s. 10, [Sch. 4](#)

73, 74. ^{F4}

Textual Amendments

F4 The following sections and schedules are repealed (1.7.1992) by the [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#) on consolidation: Ss. 18–29, 30(1)–(9)(11), 31–36, 37(1), 38, 40–51, 52(3)–(10), 53, 54(2), 55; words in s. 56(2)(a); [ss. 56\(2\)\(b\)\(3\)\(b\)\(4\)–\(4B\)](#), 58; words in s. 61(1)(3)–(5); s. 61(7)–(9); words in s. 61(10); [ss. 62–69, 70\(1\), 73, 74, 79\(3\)\(4\)](#); words in s. 80(1); [ss. 81, 83\(2\)\(3\)\(b\)–\(e\)](#); words in s. 83(5); words in s. 84(1); [ss. 84\(3\), 85\(1\)\(a\)–\(c\)\(f\)\(3\)\(c\)\(d\)\(4\)](#); words in s. 85(5); s. 85(7); words in s. 85(8)(9)–(12); [Sch. 3](#) except para. 17; [Sch.4](#); [Sch. 5 paras 2–20](#) and Pt. II paras (b) (c); [Sch. 6](#); [Sch. 7](#); [Sch. 8 paras 1–3, 5–7](#); [Sch. 10 paras 10, 34, 40, 48, 54, 62–67, 68\(2\), 69, 70, 72, 74, 77, 83–88, 90–92, 95, 97–100, 103\(a\)\(b\), 104–107, 108\(a\)](#)

^{F5}**75**

Textual Amendments

F5 [S. 75](#) repealed (7.2.1994) by [1993 c. 48, s. 188, Sch. 5 Pt.I](#); [S.I. 1994/86, art. 2](#)

76 Amendments relating to forfeiture of benefits.

(1) The ^{M1}Forfeiture Act 1982 shall be amended as follows.

Changes to legislation: There are currently no known outstanding effects for the Social Security Act 1986, Cross Heading: Miscellaneous. (See end of Document for details)

- (2) The following subsections shall be inserted after subsection (1) of section 4 (Social Security Commissioner to determine whether forfeiture rule applies to social security benefits)—
- “(1A) Where a Commissioner determines that the forfeiture rule has precluded a person (in this section referred to as “the offender”) who has unlawfully killed another from receiving the whole or part of any such benefit or advantage, the Commissioner may make a decision under this subsection modifying the effect of that rule and may do so whether the unlawful killing occurred before or after the coming into force of this subsection.
- (1B) The Commissioner shall not make a decision under subsection (1A) above modifying the effect of the forfeiture rule in any case unless he is satisfied that, having regard to the conduct of the offender and of the deceased and to such other circumstances as appear to the Commissioner to be material, the justice of the case requires the effect of the rule to be so modified in that case.
- (1C) Subject to subsection (1D) below, a decision under subsection (1A) above may modify the effect of the forfeiture rule in either or both of the following ways—
- (a) so that it applies only in respect of a specified proportion of the benefit or advantage;
- (b) so that it applies in respect of the benefit or advantage only for a specified period of time.
- (1D) Such a decision may not modify the effect of the forfeiture rule so as to allow any person to receive the whole or any part of a benefit or advantage in respect of any period before the commencement of this subsection.
- (1E) If the Commissioner thinks it expedient to do so, he may direct that his decision shall apply to any future claim for a benefit or advantage under a relevant enactment, on which a question such as is mentioned in subsection (1) above arises by reason of the same unlawful killing.
- (1F) It is immaterial for the purposes of subsection (1E) above whether the claim is in respect of the same or a different benefit or advantage.
- (1G) For the purpose of obtaining a decision whether the forfeiture rule should be modified the Secretary of State may refer to a Commissioner for review any determination of a question such as is mentioned in subsection (1) above that was made before the commencement of subsections (1A) to (1F) above (whether by a Commissioner or not) and shall do so if the offender requests him to refer such a determination.
- (1H) Subsections (1A) to (1F) above shall have effect on a reference under subsection (1G) above as if in subsection (1A) the words “it has been determined” were substituted for the words “a Commissioner determines”.”.
- (3) In subsection (2) of that section, after the words “that subsection” there shall be inserted the words “or any decision under subsection (1A) above”.
- (4) In section 5 (exclusion of murderers) after the word “Act”, in the second place where it occurs, there shall be inserted the words “or in any decision made under section 4(1A) of this Act”.

Changes to legislation: There are currently no known outstanding effects for the Social Security Act 1986, Cross Heading: Miscellaneous. (See end of Document for details)

Modifications etc. (not altering text)

- C2** The text of ss. 76, 77 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** 1982 c. 34.

[^{F6}77 Refreshments for school pupils.

- (1) The words “and may do so either on the premises or at any place other than the school premises where education is being provided” shall be inserted—
- (a) after “refreshment” in subsection (1)(a) of section 22 of the ^{M2}Education Act 1980; and
 - (b) after “management” in subsection (1)(a) of section 53 of the ^{M3}Education (Scotland) Act 1980.
- (2) The following subsections shall be substituted for subsections (2) and (3) of each of those sections—
- “(2) Subject to subsection (3) below, an authority must charge for anything provided by them under subsection (1)(a) above and must charge every pupil the same price for the same quantity of the same item.
- (3) In relation to a pupil whose parents are in receipt of income support or who is himself in receipt of it an authority shall so exercise the power conferred by subsection (1)(a) above as to ensure that such provision is made for him in the middle of the day as appears to the authority to be requisite and shall make that provision for him free of charge.”].

Textual Amendments

- F6** S. 77 repealed for certain purposes (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), Sch. 38 Pt. I, **Sch. 39**

Modifications etc. (not altering text)

- C3** The text of ss. 76, 77 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

- M2** 1980 c. 20
M3 1980 c. 44.

^{F7}78

Changes to legislation: There are currently no known outstanding effects for the Social Security Act 1986, Cross Heading: Miscellaneous. (See end of Document for details)

Textual Amendments

F7 Ss. 78-80 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

Changes to legislation:

There are currently no known outstanding effects for the Social Security Act 1986, Cross
Heading: Miscellaneous.