

Status: Point in time view as at 01/02/1991.

Changes to legislation: Social Security Act 1986 is up to date with all changes known to be in force on or before 22 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 1

Section 2.

APPROPRIATE PERSONAL PENSION SCHEMES

Modifications etc. (not altering text)

- C1** This Schedule is extended (6.4.1988) to, and modified for, money purchase contracted-out schemes, by [Social Security Pensions Act 1975 \(c. 60\), s. 32\(A\)\(a\)](#) and (2B)

Interpretation

- 1 In this Schedule—
- “member” means a member of a scheme;
 - “rules” means the rules of a scheme; and
 - “scheme” means a personal pension scheme.

Requirements: general

- 2 The Secretary of State may prescribe descriptions of persons by whom or bodies by which a scheme may be established and, if he does so, a scheme may only be established by a person or body of a prescribed description.
- 3 A scheme must comply with such requirements as may be prescribed as regards the investment of its resources and with any direction of the Occupational Pensions Board that—
- (a) no part, or no more than a specified proportion, of the scheme’s resources shall be invested in investments of a specified class or description;
 - (b) there shall be realised, before the end of a specified period, the whole or a specified proportion of investments of a specified class or description forming part of the scheme’s resources when the direction is given.
- 4 A scheme must comply with such requirements as may be prescribed as regards the part—
- (a) of any payment or payments that are made to the scheme by or on behalf of a member;
 - (b) of any income or capital gain arising from the investment of payments such as are mentioned in sub-paragraph (a) above; or
 - (c) of the value of rights under the scheme,

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that may be used—

- (i) to defray the administrative expenses of the scheme;
- (ii) to pay commission; or
- (iii) in any other way which does not result in the provision of benefits for or in respect of members.

- 5 (1) Subject to sub-paragraph (2) below, all minimum contributions which are paid to a scheme in respect of one of its members must be applied so as to provide money purchase benefits for or in respect of that member, except so far as they are used—
- (a) to defray the administrative expenses of the scheme; or
 - (b) to pay commission.
- (2) If regulations are made under paragraph 4 above, minimum contributions may be used in any way which the regulations permit, but not in any way not so permitted except to provide money purchase benefits for or in respect of the member.
- 6 A scheme must satisfy such other requirements as may be prescribed.

Requirements: protected rights

- 7 (1) Unless the rules make provision such as is mentioned in sub-paragraph (2) below, the protected rights of a member are his rights to money purchase benefits under the scheme.
- (2) Rules may provide that a member's protected rights are his rights under the scheme which derive from any payment of minimum contributions to the scheme, together with any rights of his to money purchase benefits which derive from protected rights under another personal pension scheme or protected rights (within the meaning of the ^{M1}Social Security Pensions Act 1975) under an occupational pension scheme which have been the subject of a transfer payment and such other rights as may be prescribed.
- (3) Where rules make such provision as is mentioned in sub-paragraph (2) above, they shall also make provision for the identification of the protected rights.
- (4) The value of protected rights . . . ^{F1};
- (a) shall [^{F1}in the case of any such protected rights as are mentioned in sub-paragraph (2) above] be calculated in a manner no less favourable than that in which the value of any other rights of the member to money purchase benefits under the scheme are calculated;
 - (b) subject to that, shall be calculated and verified in such manner as may be prescribed.
- (5) The power to make regulations conferred by sub-paragraph (4) above includes power to provide that protected rights . . . ^{F1}are to be calculated and verified in such manner as may be approved in particular cases—
- (a) by prescribed persons; or
 - (b) by persons with prescribed professional qualifications or experience; or

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(c) by persons approved by the Secretary of State,
and power to provide that they shall be calculated and verified in accordance with
guidance prepared by a prescribed body.

Textual Amendments

F1 Words in [para. 7\(4\)](#) and (5) deleted, and words in [para. 7\(4\)\(a\)](#) inserted (21.7.1989) by [Social Security Act 1989 \(c. 24\)](#), [Sch. 6](#), [para. 19](#), subject to saving in [reg. 3](#) of [S.I. 1989/1239](#) (also see [para. 8](#) of this Schedule)

Marginal Citations

M1 [1975 c. 60](#).

[^{F28} The rules shall provide for effect to be given to the protected rights of a member—
(a) in any case where sub-paragraph (2) of paragraph 9 below so requires, by the purchase of such an annuity as is mentioned in that sub-paragraph, and
(b) in any other case, in such of the ways permitted by that paragraph as the rules specify,
and they shall not provide for any part of a member's protected rights to be discharged otherwise than in accordance with that paragraph.]

[^{F3X1}(4) The value of protected rights such as are mentioned in sub-paragraph (2) above—
(a) shall be calculated in a manner no less favourable than that in which the value of any other rights of the member to money purchase benefits under the scheme are calculated;
(b) subject to that, shall be calculated and verified in such manner as may be prescribed.

(5) The power to make regulations conferred by sub-paragraph (4) above included power to provide that protected rights such as are mentioned in sub-paragraph (2) above are to be calculated and verified in such manner as may be approved in particular cases—
(a) by prescribed persons; or
(b) by persons with prescribed professional qualifications or experience; or
(c) by persons approved by the Secretary of State,
and power to provide that they shall be calculated and verified in accordance with
guidance prepared by a prescribed body.]

Editorial Information

X1 Under a saving in regulation 3 of [S.I. 1989/1239](#), [Schedule 1](#) has effect in specified circumstances until 1.12.1990 as if the amendments made to it by paragraphs 19 and 20 of Schedule 6 to the [Social Security Act 1989 \(c. 24\)](#) had not been enacted. For those circumstances, paragraphs 7(4) and (5) and 8 of Schedule 1 are reproduced

Textual Amendments

F2 [Paragraph 8](#) substituted (21.7.1989) by [Social Security Act 1989 \(c. 24\)](#), [Sch. 6](#), [para. 20\(1\)](#), subject to saving in [reg. 3](#) of [S.I. 1989/1239](#)

F3 [Sch. 1 paras. 7\(4\)\(5\), 8](#): under a saving in regulation 3 of [S.I. 1989/1239](#), [Schedule 1](#) has effect in specified circumstances until 1.12.1990 as if the amendments made to it by paragraphs 19 and 20 of

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Schedule 6 to the [Social Security Act 1989 \(c. 24\)](#) had not been enacted. For those circumstances, paragraphs 7(4) and (5) and 8 of Schedule 1 are reproduced

[^{F2}8 Rules must provide for effect to be given in a manner permitted by paragraph 9 below to the protected rights of every member and must not provide for any part of any member's protected rights to be discharged in any other way.]

Textual Amendments

F2 Paragraph 8 substituted (21.7.1989) by [Social Security Act 1989 \(c. 24\)](#), [Sch. 6, para. 20\(1\)](#), subject to saving in reg. 3 of [S.I. 1989/1239](#)

- 9 (1) Effect may be given to protected rights—
- (a) by the provision by the scheme of a pension which—
 - (i) complies with the requirements of sub-paragraph (7) below; and
 - (ii) satisfies such conditions as may be prescribed; or
 - (b) in such circumstances and subject to such conditions as may be prescribed, by the making of a transfer payment—
 - (i) to another personal pension scheme; or
 - (ii) to an occupational pension scheme,
 where the scheme to which the payment is made satisfies such requirements as may be prescribed.
- (2) [^{F4}Subject to sub-paragraphs (4) and (6) below] if—
- (a) the rules of the scheme do not provide for a pension; or
 - (b) the member so elects,
- [^{F4}then, except to the extent that effect is given to protected rights in accordance with sub-paragraph (3) below, effect shall be given to those rights] by the purchase by the scheme of an annuity which—
- (i) complies with the requirements of sub-paragraphs (7) and (8) below; and
 - (ii) satisfies such conditions as may be prescribed.
- [^{F5X2}(2) If—
- (a) the rules of the scheme do not provide for a pension; or
 - (b) the member so elects,
- effect may be given to protected rights by the purchase by the scheme of an annuity which—
- (i) complies with the requirements of sub-paragraph (7) and (8) below; and
 - (ii) satisfies such conditions as may be prescribed.]

(3) Effect may be given to protected rights by the provision of a lump sum if—

 - (a) the lump sum is payable on a date which is either the date on which the member attains pensionable age or such later date as has been agreed by him; and
 - (b) the annual rate of a pension under sub-paragraph (1) above or an annuity under sub-paragraph (2) above giving effect to the protected rights and

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- commencing on the date on which the lump sum is payable would not exceed the prescribed amount; and
- (c) the circumstances are such as may be prescribed; and
 - (d) the amount of the lump sum is calculated in a manner satisfactory to the Occupational Pensions Board by reference to the amount of the pension or annuity.
- (4) If the member has died without effect being given to protected rights under sub-paragraph (1), (2) or (3) above, effect may be given to them in such manner as may be prescribed.
- (5) No transaction is to be taken to give effect to protected rights unless it falls within this paragraph.
- (6) Effect need not be given to protected rights if they have been extinguished by the payment of a personal pension protected rights premium.
- (7) A pension or annuity complies with this sub-paragraph if—
- (a) it commences—
 - (i) on the date on which the member attains pensionable age; or
 - (ii) on such later date as has been agreed by him,and continues until the date of his death;
 - (b) in a case where the member dies while it is payable to him and is survived by a widow or widower—
 - (i) it is payable to the widow or widower in prescribed circumstances and for the prescribed period at an annual rate which at any given time is one-half of the rate at which it would have been payable to the member if the member had been living at that time; or
 - (ii) where that annual rate would not exceed a prescribed amount and the circumstances are such as may be prescribed, a lump sum calculated in a manner satisfactory to the Occupational Pensions Board is provided in lieu of it.
- [^{F6}(7A) As respects the period of 5 years beginning with the commencement of the pension or annuity referred to in sub-paragraph (7) above, that sub-paragraph shall have effect in relation to that pension or annuity as if the words “at least” were inserted immediately before the words “one-half” in paragraph (b)(i).]
- (8) An annuity complies with the requirements of this sub-paragraph if it is provided by an insurance company which—
- (a) satisfies prescribed conditions;
 - (b) complies with such conditions as may be prescribed as to the calculation of annuities provided by it and as to the description of persons by or for whom they may be purchased; and
 - (c) subject to sub-paragraph (9) below, has been chosen by the member.
- (9) A member is only to be taken to have chosen an insurance company if he gives notice of his choice to the trustees or managers of the scheme within the prescribed period and in such manner and form as may be prescribed, and with any such supporting evidence as may be prescribed; and, if he does not do so, the trustees or managers may themselves choose the insurance company instead.

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Editorial Information

- X2** Under a saving in regulation 3 of [S.I. 1989/1239](#), [Schedule 1](#) has effect in specified circumstances until 1.12.1990 as if the amendments made to it by paragraph 20 of Schedule 6 to the [Social Security Act 1989 \(c. 24\)](#) had not been enacted. For those circumstances, paragraph 9(2) of Schedule 1 is reproduced

Textual Amendments

- F4** Words inserted and substituted (21.7.1989) by [Social Security Act 1989 \(c. 24\)](#), [Sch. 6, para. 20\(2\)](#), subject to saving in reg. 3 of [S.I. 1989/1239](#)
- F5** [Sch. 1 para. 9\(2\)](#): under a saving in regulation 3 of [S.I. 1989/1239](#), [Schedule 1](#) has effect in specified circumstances until 1.12.1990 as if the amendments made to it by paragraph 20 of Schedule 6 to the [Social Security Act 1989 \(c. 24\)](#) had not been enacted. For those circumstances, paragraph 9(2) of Schedule 1 is reproduced
- F6** [Paragraph 9\(7A\)](#) inserted (21.7.1989) by [Social Security Act 1989 \(c. 24\)](#), [Sch. 6, para. 20\(3\)](#), subject to saving in reg. 3 of [S.I. 1989/1239](#)

- 10 The Occupational Pensions Board must be satisfied that a scheme complies with any such requirements as may be prescribed for meeting the whole or a prescribed part of any liability in respect of protected rights under the scheme which the scheme is unable to meet from its own resources—
- (a) by reason of the commission by any person of a criminal offence;
 - (b) in such other circumstances as may be prescribed.
- 11 Rules must not allow, except in such circumstances as may be prescribed, the suspension or forfeiture of a member's protected rights or of payments giving effect to them.

General

- 12 Nothing in this Schedule shall be taken to prejudice any requirements with which a scheme must comply if it is to qualify for tax-exemption or tax-approval.

SCHEDULE 2

Section 6.

MONEY PURCHASE CONTRACTED-OUT SCHEMES

Modifications etc. (not altering text)

- C2** The text of Sch. 2 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.

- 1 The ^{M2}Social Security Pensions Act 1975 shall be amended as follows.

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Marginal Citations

M2 1975 c. 60.

- 2 In subsection (1) of section 26 (contracting-out of full contributions and benefits) after the word “provides” there shall be inserted the words “or falls to be treated as providing”.
- 3 In section 29 (contracted-out rates of benefit) the following subsections shall be inserted after subsection (2)—
- “(2A) Subject to subsection (2B) below, where for any period minimum payments have been made in respect of an earner to an occupational pension scheme which, in relation to the earner’s employment, is a money purchase contracted-out scheme, then, for the purposes of this section and sections 16(2B), 28(7A) and 59(1A) of the principal Act—
- (a) the earner shall be treated, as from the date on which he reaches pensionable age, as if he were entitled to a guaranteed minimum pension at a prescribed weekly rate arising from that period in that employment; and
- (b) in prescribed circumstances, in relation to any widow or widower of the earner—
- (i) if the earner died after reaching pensionable age, any widow or widower of the earner shall be treated as entitled to a guaranteed minimum pension at a rate equal to one-half of the rate prescribed under paragraph (a) above; and
- (ii) if the earner died before reaching pensionable age, any widow or widower of the earner shall be treated as entitled to a guaranteed minimum pension at a prescribed weekly rate arising from that period.
- (2B) Where the earner is a married woman or widow, subsection (2A) above shall not have effect in relation to any period during which an election that her liability in respect of primary Class 1 contributions shall be a liability to contribute at a reduced rate is operative.
- (2C) The power to prescribe a rate conferred by subsection (2A)(a) above includes power to prescribe a nil rate.”.
- 4 In section 30 (contracted-out employment)—
- (a) in subsection (1)(a), after the word “scheme” there shall be inserted the words “or his employer makes minimum payments in respect of the earner’s employment to a money purchase contracted-out scheme”;
- (b) the following subsections shall be inserted after subsection (1)—
- “(1A) The minimum payment in respect of an earner for any tax week shall be the rebate percentage of so much of the earnings paid to or for the benefit of the earner as exceeds the lower earnings limit for the tax week but does not exceed the upper earnings limit for

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it; and in this subsection “rebate percentage” means the percentage arrived at by adding—

- (a) the percentage by which for the time being under section 27(2) above the contracted-out percentage of primary Class 1 contributions is less than the normal percentage; and
- (b) the percentage by which for the time being under that subsection the contracted-out percentage of secondary Class 1 contributions is less than the normal percentage.

(1B) The references to the upper and lower earnings limits in subsection (1A) above are references, in the case of an earner who is paid otherwise than weekly, to their prescribed equivalents under section 4(2) and (6) of the principal Act.

(1C) Regulations may make provision—

- (a) for the manner in which, and time at which or period within which, minimum payments are to be made;
- (b) for the recovery by employers of amounts in respect of the whole or part of minimum payments by deduction from earnings;
- (c) for calculating the amounts payable according to a scale prepared from time to time by the Secretary of State or otherwise adjusting them so as to avoid fractional amounts or otherwise facilitate computation;
- (d) for requiring that the liability in respect of a payment made in a tax week, in so far as the liability depends on any conditions as to a person’s age on retirement, shall be determined as at the beginning of the week or as at the end of it;
- (e) for securing that liability is not avoided or reduced by a person following in the payment of earnings any practice which is abnormal for the employment in respect of which the earnings are paid;
- (f) without prejudice to sub-paragraph (e) above, for enabling the Secretary of State, where he is satisfied as to the existence of any practice in respect of the payment of earnings whereby the incidence of minimum payments is avoided or reduced by means of irregular or unequal payments of earnings, to give directions for securing that minimum payments are payable as if that practice were not followed;
- (g) for the intervals at which, for the purposes of minimum payments, payments of earnings are to be treated as made; and
- (h) for this section to have effect, in prescribed cases, as if for any reference to a tax week there were substituted a reference to a prescribed period.”.

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- (a) in subsection (2), the words “or it satisfies subsection (2A) below.” shall be inserted after paragraph (b) (but not as part of it);
- (b) the following subsections shall be inserted after that subsection—

“(2A) An occupational pension scheme satisfies this subsection only if—

- (a) the requirements imposed by or by virtue of Schedule 1 to the Social Security Act 1986, modified under subsection (2B) below, are satisfied in its case;
- (b) it complies with section 40(1) below; and
- (c) the rules of the scheme applying to protected rights are framed so as to comply with the requirements of any regulations prescribing the form and content of rules of contracted-out schemes and with such other requirements as to form and content (not inconsistent with regulations) as may be imposed by the Occupational Pensions Board as a condition of contracting-out, either generally or in relation to a particular scheme.

(2B) The modifications of Schedule 1 are—

- (a) that for the references to a personal pension scheme there shall be substituted references to an occupational pension scheme;
- (b) that for the references in paragraph 5 to minimum contributions there shall be substituted references to minimum payments and any payments by the Secretary of State under section 7 of the Social Security Act 1986;
- (c) that for paragraph 7(2) there shall be substituted—

(2) The rules of the scheme may provide that a member’s protected rights are his rights under the scheme which derive from the payment of minimum payments (within the meaning of the Social Security Pensions Act 1975) together with any payments by the Secretary of State to the scheme under section 7 of this Act in respect of the member and any rights of the member to money purchase benefits which derive from protected rights (within the meaning of the Social Security Pensions Act 1975) under another occupational pension scheme or protected rights under a personal pension scheme which have been the subject of a transfer payment and such other rights as may be prescribed.;

- (d) that in paragraph 9—
 - (i) for the reference to an occupational pension scheme there shall be substituted a reference to a personal pension scheme; and
 - (ii) for the reference to a personal pension protected rights premium there shall be substituted a reference to a contracted-out protected rights premium; and
- (e) that paragraph 10 shall not apply to public service pension schemes.

(2C) A contracting-out certificate shall state whether the scheme is contracted-out by virtue of subsection (2) or subsection (2A)

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above; and where a scheme satisfies both of those subsections the employers, in their application for a certificate, shall specify one of the subsections as the subsection by virtue of which they desire the scheme to be contracted-out.

(2D) A scheme which has been contracted-out by virtue of one of those subsections may not become contracted-out by reason of the other, except in prescribed circumstances.”.

- 6 (1) The words “which is not a money purchase contracted-out scheme” shall be inserted after the words “occupational pension scheme” in—
- (a) section 33(1);
 - (b) section 36(1);
 - (c) section 40(3) and (4);
 - (d) section 41A(1);
 - (e) section 42(1);
 - (f) section 44(1);
 - (g) section 44A(1);
 - (h) section 45(1);
 - (j) section 51;
 - (k) paragraph 4(1) and (2) of Schedule 2.
- (2) If section 9 above comes into force after this paragraph, the amendment to section 36(1) made by sub-paragraph (1) above shall be made in the subsection both as amended by section 9 above and as unamended.
- (3) The words “or a money purchase contracted-out scheme” shall be inserted after the words “public service pension scheme” in—
- (a) section 40(2);
 - (b) section 41(1);
 - (c) section 41E(1).

7 The following section shall be inserted after section 44—

“44ZA Money purchase schemes: contracted-out protected rights premium.

- (1) In the case of a scheme which is or has been a money purchase contracted-out scheme the Occupational Pensions Board may, for the event of, or in connection with, its ceasing to be contracted-out, approve any arrangements made or to be made in relation to the scheme, or for its purposes, for the preservation or transfer of protected rights under the scheme.
- (2) If the scheme ceases to be a contracted-out scheme (whether by being wound up or otherwise) and the Occupational Pensions Board either—
 - (a) have withdrawn their approval of previously approved arrangements relating to it; or
 - (b) have declined to approve arrangements relating to it,
 the Board may issue a certificate to that effect.

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- (3) A certificate issued under subsection (2)(a) or (b) above shall be cancelled by the Board if they subsequently approve the arrangements.
- (4) If the scheme ceases to be a contracted-out scheme (whether by being wound up or otherwise), a state scheme premium shall be payable, except in prescribed circumstances,—
 - (a) in respect of each earner whose protected rights under the scheme are not subject to approved arrangements and have not been disposed of so as to discharge the trustees or managers of the scheme under section 52C of or paragraph 16 of Schedule 1A to this Act; and
 - (b) in respect of each person who has become entitled to receive a pension under the scheme giving effect to protected rights which are not subject to approved arrangements.
- (5) A premium under subsection (4) above may be referred to as a “contracted-out protected rights premium”.
- (6) A contracted-out protected rights premium shall be paid by the prescribed person, within the prescribed period, to the Secretary of State.
- (7) The amount of a contracted-out protected rights premium payable in respect of any person shall be the cash equivalent of the protected rights in question, calculated and verified in the prescribed manner.
- (8) Where a contracted-out protected rights premium is paid in respect of a person—
 - (a) the rights whose cash equivalent is included in the premium shall be extinguished; and
 - (b) section 29(2) and (2A) above and section 4 of the Social Security Act 1986 shall have effect in relation to that person and a widow or widower of that person as if any guaranteed minimum pension to which that person or any such widow or widower is treated as entitled under those provisions and which derives from the minimum payments, minimum contributions (within the meaning of the Social Security Act 1986) or transfer payment or payments from which those rights derive were reduced by the appropriate percentage.
- (9) In subsection (8) above “the appropriate percentage” means, subject to the following provisions of this section,

$$\frac{X}{Y} \times 100,$$

where—

- (a) X = the amount of the premium together with, if the person in respect of whom it falls to be paid gives notice to the prescribed person within the prescribed period—
 - (i) the cash equivalent, calculated and verified in the prescribed manner, and paid to the Secretary of State within the prescribed period, of any other rights which he has under the scheme and specifies in the notice; and

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- (ii) the amount of any voluntary contribution paid to the Secretary of State within the prescribed period by, or in respect of, the person concerned; and
 - (b) Y = the cost of providing any guaranteed minimum pension such as is mentioned in subsection (8) above.
- (10) If the appropriate percentage, as calculated under subsection (9) above would fall between two whole numbers, it is to be taken to be the lower number.
- (11) If it would be over 1000, it is to be taken to be 100.
- (12) The remainder after the reduction for which subsection (8) above provides—
- (a) if it would contain a fraction of 1p, is to be treated as the nearest lower whole number of pence; and
 - (b) if it would be less than a prescribed amount, is to be treated as nil.
- (13) The power to make regulations conferred by subsections (7) and (9) above includes power to provide that cash equivalents are to be calculated and verified in such manner as may be approved in particular cases—
- (a) by prescribed persons;
 - (b) by persons with prescribed professional qualifications or experience; or
 - (c) by persons approved by the Secretary of State,
- and power to provide that they shall be calculated and verified in accordance with guidance prepared by a prescribed body.
- (14) The cost of providing the appropriate percentage of the guaranteed minimum pension shall be certified by the Secretary of State, and in calculating and certifying it the Secretary of State—
- (a) shall apply whichever of the prescribed actuarial tables (as in force at the time when the scheme ceases to be appropriate) is applicable in accordance with the regulations prescribing the tables; and
 - (b) may make such adjustments as he thinks necessary for avoiding fractional amounts.”.
- 8 In section 48 (guaranteed minimum pensions to be inalienable)—
- (a) in subsection (1)—
 - (i) after the word “scheme”, in the first place where it occurs, there shall be inserted the words “or to payments giving effect to protected rights under such a scheme”; and
 - (ii) after the word “pension”, where it occurs in paragraphs (a) and (b), there shall be inserted the words “or those payments”; and
 - (b) in subsection (3), for the words from “any”, in the first place where it occurs, to “not” there shall be substituted the words “nothing whose assignment is or would be made void by that subsection shall”
- 9 In section 49 (supervision of schemes which have ceased to be contracted-out)—
- (a) the following paragraph shall be substituted for subsection (1)(b)—
 - “(b) there has not been a payment—

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- (i) of a premium under section 44 above in respect of each person entitled to receive, or having accrued rights to, guaranteed minimum pensions under the scheme; or
 - (ii) of a premium under section 44ZA above in respect of each person who has protected rights under it or is entitled to any benefit giving effect to protected rights under it;”;
 - (b) in subsection (2)(a), after the word “above” there shall be inserted the words “or, by virtue of subsections (2A) and (2B) of section 32 above, paragraph 10(1) of Schedule 1 to the Social Security Act 1986”; and
 - (c) in subsection (5), “32” shall be substituted for “33”.
- 10 At the end of subsection (3) of section 50 (alteration of rules of contracted-out schemes) there shall be added the words “or any person has protected rights under it or is entitled to any benefit giving effect to protected rights under it”.
- 11 In section 66(1) (interpretation)—
 - (a) the following definition shall be inserted before the definition of “guaranteed minimum pension”—
 - ““average salary benefits” means benefits the rate or amount of which is calculated by reference to a member’s average salary over the period of service on which the benefits are based;”;
 - (b) the following definitions shall be inserted after the definition of “long-term benefit”—
 - ““minimum payments” shall be construed in accordance with section 30 above;
 - “money purchase benefits” in relation to an occupational pension scheme, means benefits the rate or amount of which is calculated by reference to a payment or payments made by a member of the scheme or by any other person in respect of a member, other than average salary benefits;
 - “money purchase contracted-out scheme” means an occupational pension scheme which is contracted-out by virtue of satisfying section 32(2A) above;”;
 - (c) the following definition shall be inserted after the definition of “the principal Act”—
 - ““protected rights” has the meaning given by Schedule 1 to the Social Security Act 1986 with the substitution made by section 32(2B) above.”.
- 12 In paragraph 2 of Schedule 3 (priority in bankruptcy etc.)—
 - (a) the following sub-paragraph shall be inserted after sub-paragraph (1)—
 - “(1A) This Schedule applies to any sum owed on account of an employer’s minimum payments to a contracted-out scheme falling to be made in the period of twelve months immediately preceding the relevant date.”; and

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

Changes to legislation: Social Security Act 1986 is up to date with all changes known to be in force on or before 22 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (b) in sub-paragraph (2)—
 - (i) the words “or payments” shall be inserted after the word “contributions”; and
 - (ii) the words “or (1A)” shall be inserted after the words “sub-paragraph (1)”.

SCHEDULE 3

Section 39.

INDUSTRIAL INJURIES AND DISEASES

1—16. F7

Textual Amendments

F7 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\(a\)](#)

Pneumoconiosis etc. (Workers’ Compensation) Act 1979 (c. 41)

- 17 (1) Section 2 of the *Pneumoconiosis etc. (Workers’ Compensation) Act 1979* (conditions of entitlement to lump sum payments) shall be amended as follows.
 - (2) At the end of subsection (1)(a) there shall be added the words “or, subject to subsection (3A) below, would be payable to him in respect of it but for his disablement amounting to less than the appropriate percentage”.
 - (3) At the end of subsection (2)(b) there shall be added the words “or, subject to subsection (3A) below, would have been so payable to him—
 - (i) but for his disablement amounting to less than the appropriate percentage; or
 - (ii) but for his not having claimed the benefit; or
 - (iii) but for his having died before he had suffered from the disease for the appropriate period”.
 - (4) In subsection (3) the following definitions shall be inserted before the definition of “death benefit”—
 - ““the appropriate percentage” means, in the case of any disease, the percentage specified in subsection (1) of section 57 of the *Social Security Act 1975* or, if regulations have been made under section 77 of that Act specifying a different percentage in relation to that disease, the percentage specified in the regulations;

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

Changes to legislation: Social Security Act 1986 is up to date with all changes known to be in force on or before 22 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

“the appropriate period” means, in the case of any disease, the period specified in subsection (4) of the said section 57 or, if regulations have been made under the said section 77 specifying a different period in relation to that disease, the period specified in the regulations;”.

(5) The following subsection shall be inserted after that subsection—

“(3A) No amount is payable under this Act in respect of disablement amounting to less than 1 per cent.”.

Modifications etc. (not altering text)

C3 The text of Sch. 3 para. 17 and Sch. 5 para. 1 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.

SCHEDULE 4

F8

Textual Amendments

F8 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)

SCHEDULE 5

Section 52.

ADJUDICATION

PART I

AMENDMENT OF ENACTMENTS

Social Security Act 1973 (c. 38)

1 In section 67(2) of the Social Security Act 1973 (review of determinations by Occupational Pensions Board) the words “or was erroneous in point of law” shall be inserted at the end of paragraph (a).

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

Changes to legislation: Social Security Act 1986 is up to date with all changes known to be in force on or before 22 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Modifications etc. (not altering text)

C4 The text of Sch. 3 para. 17 and Sch. 5 para. 1 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.

2—20. **F9**

Textual Amendments

F9 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\(a\)](#)

PART II

QUESTIONS FOR DETERMINATION BY THE SECRETARY OF STATE

The questions referred to in section 52(2) above are—

- (a) any question arising in connection with—
 - (i) minimum contributions;
 - (ii) any state scheme premium under Part I of this Act; or
 - (iii) payments under section 7 above,

other than a question which is required under or by virtue of this Act or the ^{M3}Social Security Pensions Act 1975 to be determined by the Occupational Pensions Board;

- (b) **F10**
- c)

Textual Amendments

F10 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\(a\)](#)

Marginal Citations

M3 1975 c. 60.

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

Changes to legislation: Social Security Act 1986 is up to date with all changes known to be in force on or before 22 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES 6, 7

F11
...

Textual Amendments

F11 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\(a\)](#)

SCHEDULE 8

Section 75.

EARNINGS FACTORS

1–3. F12

Textual Amendments

F12 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\(a\)](#)

Social Security Pensions Act 1975 (c. 60)

4 The Social Security Pensions Act 1975 shall be amended as follows.

Modifications etc. (not altering text)

C5 The text of [Sch. 8 paras. 4, 8, 10, 11](#) 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.

5–7. F13

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

Changes to legislation: Social Security Act 1986 is up to date with all changes known to be in force on or before 22 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

F13 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\(a\)](#)

- 8 (1) In subsection (2) of section 35 (earner’s guaranteed minimum) for the words “contributions paid in respect of such earnings as are mentioned in subsection (1) above” there shall be substituted the words “earnings such as are mentioned in subsection (1) above upon which primary Class 1 contributions have been paid or treated as paid”.

Modifications etc. (not altering text)

C6 The text of Sch. 8 paras. 4, 8, 10, 11 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.

- 9 Section 43(1A) and section 47(2A) shall not apply to any period after the end of the tax year 1986–87.

Modifications etc. (not altering text)

C7 [Sch. 8 para. 9](#): references relate to the [Social Security Pensions Act 1975 \(c. 60\)](#)

- 10 In subsection (3)(b) of section 45 (premium where guaranteed minimum pension excluded from full revaluation) for the word “contributions”, in the first place where it occurs, there shall be substituted the words “earnings upon which primary Class 1 contributions have been paid or treated as paid”.

Modifications etc. (not altering text)

C8 The text of Sch. 8 paras. 4, 8, 10, 11 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.

Social Security (Miscellaneous Provisions) Act 1977 (c. 5)

- 11 In subsection (1)(b) of section 21 of the Social Security (Miscellaneous Provisions) Act 1977 (calculation of guaranteed minimum pensions preserved under approved

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arrangements) after the word “contributions”, in the first place where it occurs, there shall be inserted the words “or earnings”.

Modifications etc. (not altering text)

- C9** The text of Sch. 8 paras. 4, 8, 10, 11 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.

SCHEDULE 9

Section 82.

NORTHERN IRELAND

PART I

... **F14**

Textual Amendments

- F14** Sch. 9 Pt. I, Pt. II paras. 3(1)(c), 3(2)(a)–(g), (j), 11, 12 repealed (1.7.1992) by [Social Security \(Consequential Provisions\) \(Northern Ireland\) Act 1992 \(c. 9\)](#), [Sch. 1](#)

PART II

TRANSFER OF FUNCTIONS RELATING TO COMMISSIONERS

- 2 (1) In this Part—
“the Commissioners” means the Chief and other Social Security Commissioners for Northern Ireland;
“the Department”, except in the expression “the Department of Finance and Personnel”, means the Department of Health and Social Services for Northern Ireland.
- (2) The references in paragraphs 3(1)(b) and 4 to service by any person as a Commissioner include references to service treated as service as a Commissioner under paragraph 5(2) of Schedule 10 to the ^{M4}Social Security (Northern Ireland) Act 1975 (service under former enactments).

Marginal Citations

- M4** 1975 c. 15.

- 3 (1) The following functions of the Department are hereby transferred to the Lord Chancellor—

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- (a) the functions of the Department under paragraphs 4, 6 and 7 of Schedule 10 to the Social Security (Northern Ireland) Act 1975 (payment of remuneration, expenses, and pensions of the Commissioners);
- (b) the functions of the Department under the provisions of the ^{M5}Judicial Pensions Act (Northern Ireland) 1951 (lump sums and widow's and children's pensions) and paragraph 3 of Schedule 3 to the ^{M6}Administration of Justice Act 1973 (increase of certain widow's and children's pensions) so far as those provisions apply to service by any person as a Commissioner;
- (c) ^{F15}
- (d) the making, under or for the purposes of the enactments mentioned in sub-paragraph (2) below, of regulations with respect to proceedings before the Commissioners, whether for the determination of any matter or for leave to appeal to or from the Commissioners.

(2) The enactments referred to in sub-paragraph (1)(d) above are—

- (a) ^{F15}
- (h) Article 6 of the ^{M7}Forfeiture (Northern Ireland) Order 1982;
- (j) ^{F15}

Textual Amendments

F15 Sch. 9 Pt. I, Pt. II paras. 3(1)(c), 3(2)(a)–(g), (j), 11, 12 repealed (1.7.1992) by [Social Security \(Consequential Provisions\) \(Northern Ireland\) Act 1992 \(c. 9\)](#), [Sch. 1](#)

Marginal Citations

M5 1951 c. 20 (N.I.).
M6 1973 c. 15.
M7 S.I. 1982/1082 (N.I. 14).

- 4 (1) The functions of the Department of Finance and Personnel, so far as they relate to the functions transferred by paragraph 3 above, are hereby transferred to the Treasury.
- (2) The functions of the Department of Finance and Personnel under the ^{M8}Judicial Pensions Act (Northern Ireland) 1951, so far as it applies to service by any person as a Commissioner, are hereby transferred to the Treasury.

Marginal Citations

M8 1951 c. 20 (N.I.).

- 5 The functions of the Secretary of State under paragraph 7(5) of Schedule 10 to the Social Security (Northern Ireland) Act 1975 (power of Secretary of State to require person retired on medical grounds to resume duties of Commissioner) are hereby transferred to the Lord Chancellor.
- 6 (1) Subject to any Order made after the passing of this Act by virtue of subsection (1)(a) of section 3 of the ^{M9}Northern Ireland Constitution Act 1973, the matters to which this paragraph applies shall not be transferred matters for the purposes of that Act

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

Changes to legislation: Social Security Act 1986 is up to date with all changes known to be in force on or before 22 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

but shall for the purposes of subsection (2) of that section be treated as specified in Schedule 3 to that Act.

- (2) This paragraph applies to all matters relating to the Commissioners, including procedure and appeals, other than those specified in paragraph 9 of Schedule 2 to the Northern Ireland Constitution Act 1973.

Marginal Citations

M9 1973 c. 36.

- 7 Regulations made by the Lord Chancellor by virtue of this Part of this Schedule shall be subject to annulment in pursuance of a resolution of either House of Parliament in like manner as a statutory instrument and section 5 of the^{M10} Statutory Instruments Act 1946 shall apply accordingly.

Marginal Citations

M10 1946 c. 36.

- 8 (1) Enactments and instruments passed or made before the coming into operation of this Part of this Schedule shall have effect, so far as may be necessary for the purpose or in consequence of the transfers effected by this Part as if—
- (a) references to the Department or to the Secretary of State were references to the Lord Chancellor; and
 - (b) references to the Department of Finance and Personnel were references to the Treasury; and
 - (c) references to moneys appropriated by Measure of the Northern Ireland Assembly were references to money provided by Parliament and references to the Consolidated Fund of Northern Ireland were references to the Consolidated Fund of the United Kingdom.
- (2) This Part of this Schedule shall not affect the validity of anything done (or having effect as done) by or in relation to the Department, the Department of Finance and Personnel or the Secretary of State before the coming into operation of this Part, and anything which at the time of the coming into operation of this Part is in process of being done by or in relation to either of those Departments or the Secretary of State may, if it relates to a function transferred by this Part, be continued by or in relation to the Lord Chancellor or the Treasury, as the case may require.
- (3) Anything done (or having effect as done) by the Department, the Department of Finance and Personnel or the Secretary of State for the purpose of a function transferred by this Part of this Schedule, if in force at the coming into operation of this Part, shall have effect, as far as required for continuing its effect after the coming into operation of this Part, as if done by the Lord Chancellor or by the Treasury, as the case may require.
- (4) The amendments specified in Part III of this Schedule are without prejudice to the generality of this paragraph.

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

Changes to legislation: Social Security Act 1986 is up to date with all changes known to be in force on or before 22 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

PART III

CONSEQUENTIAL AMENDMENTS

Judicial Pensions Act (Northern Ireland) 1951 (c. 20)(N.I.)

- 9 In section 16 of the Judicial Pensions Act (Northern Ireland) 1951 (recommendation required for payments conditional on eligibility for Commissioners’ pensions) for the words “Department of Health and Social Services” there shall be substituted the words “Lord Chancellor”.

Modifications etc. (not altering text)

- C10** The text of Sch. 9 Pt. III paras. 9, 10, 13 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.

Social Security (Northern Ireland) Act 1975 (c. 15)

- 10 (1) In paragraphs 4, 6 and 7 of Schedule 10 to the Social Security (Northern Ireland) Act 1975 (payment of remuneration, expenses and pensions of the Commissioners)—
- (a) for the word “Department” in each place where it occurs (except in the expression “Department of Finance”) there shall be substituted the words “Lord Chancellor”;
 - (b) for the words “Department of Finance” in each place where they occur there shall be substituted the word “Treasury”.
- (2) In sub-paragraph (1) of the said paragraph 6 for the words “moneys appropriated by Measure of the Northern Ireland Assembly” there shall be substituted the words “money provided by Parliament”.
- (3) In sub-paragraph (5) of the said paragraph 7 for the words “Secretary of State” there shall be substituted the words “Lord Chancellor”.

Modifications etc. (not altering text)

- C11** The text of Sch. 9 Pt. III paras. 9, 10, 13 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.

Social Security Act 1980 (c. 30)

- 11, 12. **F16**

Textual Amendments

- F16** Sch. 9 Pt. I, Pt. II paras. 3(1)(c), 3(2)(a)–(g), (j), 11, 12 repealed (1.7.1992) by [Social Security \(Consequential Provisions\) \(Northern Ireland\) Act 1992 \(c. 9\)](#), [Sch. 1](#)

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

Changes to legislation: Social Security Act 1986 is up to date with all changes known to be in force on or before 22 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Forfeiture (Northern Ireland) Order 1982 (S.I. 1982/1082 (N.I. 14))

- 13 In Article 6(2) of the Forfeiture (Northern Ireland) Order 1982 (regulations for purposes of determinations by Social Security Commissioner), for the words “Department of Health and Social Services” there shall be substituted the words “Lord Chancellor”.

Modifications etc. (not altering text)

- C12** The text of Sch. 9 Pt. III paras. 9, 10, 13 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.

SCHEDULE 10

Section 86.

MINOR AND CONSEQUENTIAL AMENDMENTS

Modifications etc. (not altering text)

- C13** The text of Schs. 10, 11 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.

PART I

PENSIONS

Social Security Act 1973 (c. 38)

- 1 The Social Security Act 1973 shall be amended as follows.
- 2 In section 58(2) (linked qualifying service)—
- (a) the following paragraph shall be substituted for paragraph (a)—
- “(a) under the rules of a scheme applying to him in the earlier period of service—
- (i) there was made a transfer of his accrued rights under that scheme to another scheme applying to him in the later period of service; or
- (ii) those rights were secured by a policy of insurance or an annuity contract and were subsequently transferred to another scheme applying to him in the later period of service;”;
- (b) in paragraph (b), for the words “that transfer” there shall be substituted the words “the transfer of his accrued rights to the second scheme.”.

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

Changes to legislation: Social Security Act 1986 is up to date with all changes known to be in force on or before 22 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- 3 In section 64 (modification of occupational pension scheme by order of Occupational Pensions Board) the following subsection shall be inserted after subsection (1)—
- “(1A) The Board shall also have power on such an application to make an order—
- (a) authorising the modification of the scheme with a view to achieving any one or more of such other purposes as may be prescribed; or
 - (b) modifying the scheme with a view to achieving any one or more of those purposes.”.

4 In section 66—

 - (a) in subsection (1)(a), for the words “and the Pensions Act” there shall be substituted the words “, the Pensions Act and Part I of the Social Security Act 1986”;
 - (b) in subsection (7)(a), after the words “contracting-out certificates” there shall be inserted the words “and appropriate scheme certificates”; and
 - (c) the following subsection shall be substituted for subsection (10)—

“(10) References in this section—

 - (a) to this Part of this Act, the Pensions Act and Part I of the Social Security Act 1986 include references to any provisions in force in Northern Ireland and corresponding to provisions of this Part of this Act, the Pensions Act or Part I of the Social Security Act 1986; and
 - (b) to contracting-out certificates and appropriate scheme certificates include references to contracting-out certificates and appropriate scheme certificates within the meaning of any such provisions.”.

5 In section 67(1)(a) (review of determinations by Board) after the words “contracting-out certificate” there shall be inserted the words “or an appropriate scheme certificate”.

6 In section 69 (rule against perpetuities)—

 - (a) in subsection (1), for the words “an occupational” there shall be substituted the words “a personal or occupational”;
 - (b) in subsection (2), for the words “under this Part of this Act” there shall be substituted the words “or an appropriate scheme under Part I of the Social Security Act 1986”; and
 - (c) in subsection (5), for the words “which ceases to be contracted-out, or” there shall be substituted the words “which ceases—
 - (a) if it is an occupational pension scheme, to be contracted-out; or
 - (b) if it is a personal pension scheme, to be an appropriate scheme,

or ”.

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

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- 7 Sections 70 (legal restrictions of doubtful application), 71 (friendly societies) and 72 (fees for official services to schemes) shall have effect in relation to personal pension schemes as they have effect in relation to occupational pension schemes.

Modifications etc. (not altering text)

C14 Sch. 10 para. 7: references relate to the [Social Security Act 1973 \(c. 38\)](#)

- 8 In section 99(1) the following definitions shall be inserted at the appropriate places—

“ “appropriate scheme” shall be construed in accordance with Part I of the Social Security Act 1986;” and

“ “personal pension scheme” has the same meaning as in the Social Security Act 1986;”.

- 9 In paragraph 4 of Schedule 16 (preservation of benefits under occupational pension schemes)—

(a) for the words “requisite benefits” in the first place where they occur in sub-paragraph (2) and in sub-paragraph (3) there shall be substituted the words “a guaranteed minimum pension”; and

(b) for the words “his requisite benefits” in sub-paragraph (2) there shall be substituted the words “the guaranteed minimum pension”.

- 10 **F17**

Textual Amendments

F17 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)

Social Security Pensions Act 1975 (c. 60)

- 11 The Social Security Pensions Act 1975 shall be amended as follows.

- 12 In section 26 (contracting-out)—

(a) in subsection (1), for the words “the requisite benefits” there shall be substituted the words “a guaranteed minimum pension”; and

(b) in subsection (2), for the words from the beginning to “such pension” there shall be substituted the words “ “Guaranteed minimum pension”

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means any pension which is provided by an occupational pension scheme in accordance with the requirements of sections 33 and 36 below ”.

- 13 In section 27(4) (contracted-out rates of Class 1 contributions) for the words from the beginning to “that employment” there shall be substituted the words “Where—
- (a) an earner has ceased to be employed in an employment; and
 - (b) earnings are paid to him or for his benefit within the period of 6 weeks, or such other period as may be prescribed, from the day on which he so ceased,
- that employment ”.
- 14 In section 29 (contracted-out rates of benefit)—
- (a) in subsection (1)(a), for the words “or a widow’s pension” there shall be substituted the words “, a widow’s pension or a widower’s invalidity pension under section 16 above”;
 - (b) in subsection (2)—
 - (i) after the words “this section” there shall be inserted the words “and sections 16(2B), 28(7A) and 59(1A) of the principal Act”; and
 - (ii) at the end there shall be added the words “or if as a result of a transfer payment or transfer under regulations made by virtue of section 38 below he is no longer entitled to guaranteed minimum pensions under the scheme by which the transfer payment or transfer is made and has not as a result of the transfer payment or transfer become entitled to guaranteed minimum pensions under the scheme to which the transfer payment or transfer is made.”
- 15 In section 30(1)(a) (contracted-out employment) for the words “the requisite benefits of” there shall be substituted the words “a guaranteed minimum pension provided by”.
- 16 In section 32 (contracted-out schemes)—
- (a) in subsection (2)—
 - (i) for the words “the requisite benefits” in paragraph (a); and
 - (ii) for the words “requisite benefits” in paragraph (b), there shall be substituted the words “guaranteed minimum pensions”;
 - (b) in subsection (4) the words “relating to the scheme or its management” shall cease to have effect.
- 17 In section 33 (requirements for contracting-out) the following subsection shall be inserted after subsection (1)—
- “(1A) In the case of an earner who is a married woman or widow who is liable to pay primary Class 1 contributions at a reduced rate by virtue of section 3 of this Act, subject to the provisions of this Part of this Act, for a scheme to be contracted-out in relation to her employment it must—

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- (a) provide for her to be entitled to a pension under the scheme if she attains pensionable age; and
 - (b) satisfy such other conditions as may be prescribed.”.

- 18 The following subsection shall be substituted for section 38(1) (transfer of accrued rights)—
 - “(1) Regulations may prescribe circumstances in which and conditions subject to which—
 - (a) there may be made by one occupational pension scheme to another or by an occupational pension scheme to a personal pension scheme a transfer of or a transfer payment in respect of—
 - (i) an earner’s accrued rights to guaranteed minimum pensions under a contracted-out scheme;
 - (ii) an earner’s accrued rights to pensions under an occupational pension scheme which is not contracted-out, to the extent that those rights derive from his accrued rights to guaranteed minimum pensions under a contracted-out scheme; or
 - (iii) the liability for the payment of guaranteed minimum pensions to or in respect of any person who has become entitled to them;
 - (b) there may be made to an occupational pension scheme or a personal pension scheme a transfer of or a transfer payment in respect of an earner’s accrued rights to guaranteed minimum pensions which are appropriately secured for the purposes of section 52C below.”.

- 19 Sections 41(4) and 49(3) and (7) (powers of Occupational Pensions Board which are no longer required) shall cease to have effect.

- 20 In section 41A(4) of that Act (protection of earner’s pensions) “2” shall be substituted for “5”.

- 21 In section 42(1)(b) (premium on termination of contracted-out employment) for the word “five” there shall be substituted the word “two”.

- 22 In section 43(2A) (linked qualifying service)—
 - (a) the following paragraph shall be substituted for paragraph (a)—
 - “(a) under the rules of a scheme applying to him in the earlier period of service—
 - (i) there was made a transfer of his accrued rights under that scheme to another scheme applying to him in the later period of service; or
 - (ii) those rights were secured by a policy of insurance or an annuity contract and were subsequently transferred to another scheme applying to him in the later period of service;”;

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- (b) in paragraph (b), for the words “that transfer” there shall be substituted the words “transfer of his accrued rights to the second scheme”.
- 23 (1) In subsection (1) of section 44 (premium on termination of contracted-out scheme) after the word “is” there shall be inserted the words “or has been” and after the words “for the event of” there shall be inserted the words “, or in connection with,”.
- (2) The following subsections shall be inserted after subsection (1B) of that section (arrangements for scheme’s ceasing to be contracted-out)—
- “(1C) If the scheme ceases to be a contracted-out scheme (whether by being wound up or otherwise) and the Occupational Pensions Board either—
- (a) have withdrawn their approval of previously approved arrangements relating to it; or
- (b) have declined to approve arrangements relating to it,
- the Board may issue a certificate to that effect.
- (1D) A certificate issued under subsection (1C)(a) or (b) above shall be cancelled by the Board if they subsequently approve the arrangements.”.
- (3) In subsection (2)(a) of that section, after the word “under”, in the second place where it occurs, there shall be inserted the words “section 52C of or”.
- (4) In subsection (5) of that section, for the words “The amount” there shall be substituted the words “Subject to subsection (5A) below, the amount”.
- (5) The following subsections shall be inserted after that subsection—
- “(5A) Where in calculating the costs referred to in subsection (5) above the Secretary of State cannot readily ascertain the amount of any earnings in a tax week, he may make the calculation as if the amount of those earnings were equal to the upper earnings limit for that tax week, and may certify the costs accordingly.
- (5B) Where—
- (a) the Secretary of State subsequently ascertains the amount of those earnings; and
- (b) it appears to him that the amount of the premium would have been less if he had not made the calculation on the basis described in subsection (5A) above,
- he shall refund to the prescribed person the amount by which it would have been less.”.
- 24 The following subsection shall be inserted after section 49(2) of that Act (duty to supervise schemes which have ceased to be contracted-out)—
- “(2A) Where in the case of any scheme the Board have issued a certificate under subsection (1C) of section 44 above which has not been cancelled under subsection (1D) of that section, or a certificate under subsection (2) of section 44ZA above which has not been cancelled under subsection (3) of that section, the Board shall not be under the duty which would otherwise be imposed on them by subsection (2) above in relation to that scheme.”.

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- 25 In section 50 (alteration of rules of contracted-out schemes)—
- (a) in subsection (1)—
 - (i) after the word “Board” there shall be inserted the words “unless it is an alteration to which this subsection does not apply”; and
 - (ii) for the words “such alteration” there shall be substituted the words “alteration to which this subsection applies”; and
 - (b) the following subsection shall be inserted after that subsection—

“(1A) Subsection (1) above does not apply—

 - (a) to an alteration consequential on a provision of the Health and Social Security Act 1984, the Social Security Act 1985 or the Social Security Act 1986; or
 - (b) to an alteration of a prescribed description.”.
- 26 (1) Section 52C (cases where scheme’s liability is discharged) shall have effect and shall be deemed always to have had effect as if the following subsections were substituted for subsections (1) to (3)—
- “(1) A transaction to which this section applies discharges the trustees or managers of an occupational pension scheme from their liability to provide for or in respect of any person either the requisite benefits or short service benefit or any alternative to short service benefit—
- (a) if it is carried out not earlier than the time when that person’s pensionable service terminates; and
 - (b) if and to the extent that it results in—
 - (i) the requisite benefits; or
 - (ii) short service benefit, or an alternative to short service benefit, for or in respect of that person being appropriately secured; and
 - (c) in a case where the transaction takes place on or after 1st January 1986, if and to the extent that the requirements set out in any one of paragraphs (a), (b) and (c) of subsection (5) below are satisfied.
- (2) This section applies to the following transactions—
- (a) the taking out or the transfer of the benefit of a policy of insurance or a number of such policies;
 - (b) the entry into or the transfer of the benefit of an annuity contract or a number of such contracts.”.
- (2) Subsection (5) of that section shall have effect and shall be deemed always to have had effect as if “(1)” were substituted for “(2)(b)”.
- (3) In relation to transactions which take place after the commencement of section 8 above section 52C(1) of the ^{M11}Social Security Pensions Act 1975 shall have effect with the substitution of the words “guaranteed minimum pensions” for the words “the requisite benefits”, in both places where they occur.

Marginal Citations

M11 1975 c. 60.

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- 27 (1) Subsection (1) of section 52D (supplementary provisions) shall have effect and shall be deemed always to have had effect—
- (a) as if the following paragraph were substituted for paragraph (b)—
- “(b) either—
- (i) the transaction wholly or partly securing them was carried out before 1st January 1986 and discharged the trustees or managers of the scheme as mentioned in subsection (1) of that section; or
- (ii) it is carried out on or after that date without any of the requirements specified in subsection (5)(a) to (c) of that section being satisfied in relation to it and the scheme has been wound up;”;
- (b) as if for the words from “entitled” to “which” there were substituted the words “only entitled to such part (if any) of his or her guaranteed minimum pension as”.
- (2) In that subsection after the words “purposes of” there shall be inserted the words “sections 16(2B), 28(7A) and 59(1A) of the principal Act and”.
- 28 The following definition shall be inserted after the definition of “occupational pension scheme” in section 66(1)—
- ““personal pension scheme” has the meaning assigned to it by section 84(1) of the Social Security Act 1986;”.
- 29 At the end of paragraph 5(1) of Part I of Schedule 1A (revaluation of pensions) there shall be added the words “and which is not an average salary benefit”.
- 30 In Part II of Schedule 1A (transfer values)—
- (a) the following sub-paragraphs shall be inserted after paragraph 12(2)—
- “(2A) Where a member continues in employment to which a scheme applies after his pensionable service in that employment terminates—
- (a) if regulations so provide, he only acquires a right to the cash equivalent of such part of the benefits specified in sub-paragraph (1) above as may be prescribed; and
- (b) if regulations so provide, he acquires no right to a cash equivalent.
- (2B) Regulations may provide for the purposes of sub-paragraph (2A) above that in prescribed circumstances a number of employments (whether or not consecutive) shall be treated as a single employment.”;
- (b) paragraph 12(4) and the reference to it in paragraph 12(3) shall be omitted and shall be deemed never to have been included;
- (c) in paragraph 13—
- (i) in paragraph (c) of sub-paragraph (2), for the words “such other type or types of pension arrangements as may be prescribed” there

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- shall be substituted the words “other pension arrangements which satisfy prescribed requirements”; and
- (ii) the following sub-paragraph shall be inserted after that sub-paragraph—
- “(2A) Without prejudice to the generality of sub-paragraph (2) above, the powers conferred by that sub-paragraph include power to provide that a scheme, an annuity or pension arrangements must satisfy requirements of the Inland Revenue.”;
- (iii) in sub-paragraph (5)(b), for the word “them” there shall be substituted the words “the trustees or managers of the scheme from which he is being transferred”; and
- (d) in paragraph 14—
- (i) in sub-paragraph (1), for the words “The cash equivalents mentioned in paragraph 12(1) above” there shall be substituted the words “Cash equivalents”;
- (ii) at the end of sub-paragraph (2), there shall be added (but not as part of paragraph (c)) the words “and power to provide that they shall be calculated and verified in accordance with guidance prepared by a prescribed body,”; and
- (iii) the following paragraph shall be substituted for sub-paragraph (3) (b)—
- “(b) that in prescribed circumstances a cash equivalent shall be increased or reduced.”.

Employment Protection (Consolidation) Act 1978 (c. 44)

- 31 (1) In the following provisions of the Employment Protection (Consolidation) Act 1978 (which all relate to payments to pension schemes of contributions which are unpaid on employer’s insolvency) the words “or a personal pension scheme” shall be inserted after the words “an occupational pension scheme”—
- (a) section 123(1) and (3);
- (b) section 124(2);
- (c) section 125(3); and
- (d) section 126(1).
- (2) In section 123(2) of that Act for the words “in accordance with an occupational pension scheme” there shall be substituted the words “to an occupational pension scheme or a personal pension scheme”.
- (3) In section 127(3) of that Act the following definition shall be inserted after the definition of “occupational pension scheme”—
- ““personal pension scheme” means any scheme or arrangement which is comprised in one or more instruments or agreements and which has, or is capable of having, effect so as to provide benefits, in the form of pensions or otherwise, payable on death or retirement to or in respect of employees who have made arrangements with the trustees or managers of the scheme for them to become members of the scheme;”.

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PART II

INCOME-RELATED BENEFITS

National Assistance Act 1948 (c. 29)

- 32 (1) In subsection (3) of section 22 of the National Assistance Act 1948 (charges to be made for local authority accommodation) for the words “(apart from any supplementation of his resources which he will receive under the ^{M12}Supplementary Benefits Act 1976” there shall be substituted the words “(disregarding income support)”.
- (2) At the end of subsection (5) of that section there shall be added the words “except that, until the first such regulations come into force, a local authority shall give effect to Part III of Schedule 1 to the ^{M13}Supplementary Benefits Act 1976, as it had effect immediately before the amendments made by Schedule 2 to the ^{M14}Social Security Act 1980.”

Marginal Citations

M12 1976 c. 71.

M13 1976 c. 71.

M14 1980 c. 30.

- 33 The words “, whether before or after the commencement of the Supplementary Benefits Act 1976,” shall be omitted from subsection (6) of section 43 of that Act (recovery of cost of assistance from persons liable for maintenance).

Maintenance Orders Act 1950 (c. 37)

- 34 **F18**

Textual Amendments

F18 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\(a\)](#)

- 35 In section 4 of that Act (jurisdiction of English courts to make affiliation orders against persons in Scotland or Northern Ireland)—
- (a) the following paragraph shall be added at the end of subsection (1)—
- “(d) for an order under section 24 of the Social Security Act 1986 (which provides for the recovery of expenditure on income support from such persons);” and

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- (b) in subsection (2), after the words “or the said section 18” there shall be inserted the words “or the said section 24”.
- 36 In section 9 of that Act—
- (a) the following paragraph shall be added at the end of subsection (1)—
- “**(d)** for an order under section 24 of the Social Security Act 1986 (which provides for the recovery of expenditure on income support from such persons);” and
- (b) in subsection (2), after the words “or the said section 18” there shall be inserted the words “or the said section 24”.
- 37 In section 11(1) of that Act (jurisdiction of Northern Ireland courts to make affiliation orders) after “1977” there shall be inserted the words “or any enactment applying in Northern Ireland and corresponding to section 25 of the Social Security Act 1986”.
- 38 In section 12 of that Act (jurisdiction of Northern Ireland courts to make affiliation orders against persons in England or Scotland)—
- (a) the following paragraph shall be added at the end of subsection (1)—
- “**(d)** for an order under any enactment applying in Northern Ireland and corresponding to section 24 of the Social Security Act 1986 (which provides for the recovery of expenditure on income support from such persons);” and
- (b) the words “or of any order falling within subsection (1)(d) of this section” shall be added at the end of subsection (2).
- 39 In section 16(2) of that Act (enforcement of maintenance orders)—
- (a) the following sub-paragraph shall be inserted after paragraph (a)(vii)—
- “**(viii)** section 24 of the Social Security Act 1986 or section 4 of the Affiliation Proceedings Act 1957 on an application made under section 25(1) of the Act of 1986;”;
- (b) the following sub-paragraph shall be inserted after paragraph (b)(viii)—
- “**(ix)** an order made on an application under section 24 of the Social Security Act 1986;” and
- (c) the following sub-paragraph shall be inserted after paragraph (c)(vii)—
- “**(viii)** any enactment applying in Northern Ireland and corresponding to section 24 of the Social Security Act 1986;”.

40

F19

Textual Amendments

F19 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.](#)

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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)

Social Work (Scotland) Act 1968 (c. 49)

- 41 (1) In section 78(2A) of the Social Work (Scotland) Act 1968 (duty to make contributions in respect of children in care etc.) for words from “of” where second occurring to the end there shall be substituted the words “of income support or family credit.”
- (2) In section 87(3) of that Act (charges for service and accommodation)—
- (a) after the word “by” where first occurring there shall be inserted the words “the Schedule to the ^{M15}Housing (Homeless Persons) Act 1977, paragraph 2(1) of Schedule 4 to the ^{M16}Social Security Act 1980.”;
 - (b) after “1983” there shall be inserted “and paragraph 32 of Schedule 10 to the Social Security Act 1986”; and
 - (c) for the words “to 44” there shall be substituted the words “(as amended by paragraph 5 of Schedule 1 to the ^{M17}Law Reform (Parent and Child) (Scotland) Act 1986) and 43”.

Marginal Citations

M15 1977 c. 48.

M16 1980 c. 30.

M17 1986 c. 9.

Administration of Justice Act 1970 (c. 31)

- 42 In Schedule 8 to the Administration of Justice Act 1970 (maintenance orders)—
- (a) in paragraph 5, the word “or” shall be omitted from both places where it occurs and after “1975” there shall be inserted the words “or section 25 of the Social Security Act 1986”; and
 - (b) in paragraph 6, the word “or”, where first occurring, shall be omitted and after “1976” there shall be inserted the words “ or section 24 of the Social Security Act “1986”. ”

Attachment of Earnings Act 1971 (c. 32)

- 43 In Schedule 1 to the Attachment of Earnings Act 1971 (maintenance orders)—
- (a) in paragraph 6, the word “or” shall be omitted from both places where it occurs and after “1976” there shall be inserted the words “or section 25 of the Social Security Act 1986”; and
 - (b) in paragraph 7, the word “or” where first occurring shall be omitted and after “1976” there shall be inserted the words “or section 24 of the Social Security Act 1986”.

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

Changes to legislation: Social Security Act 1986 is up to date with all changes known to be in force on or before 22 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Housing (Financial Provisions) (Scotland) Act 1972 (c. 46)

- 44 (1) In section 24(1)(a) of the Housing (Financial Provisions) (Scotland) Act 1972 (amount to be carried to credit of rent rebate account) for the words “under section 32 of the ^{M18}Social Security and Housing Benefits Act 1982” there shall be substituted the words “under section 30 of the Social Security Act 1986”.
- (2) In section 25(1)(a) of that Act (amount to be carried to credit of rent allowance account) for the words “under section 32 of the Social Security and Housing Benefits Act 1982” there shall be substituted the words “under section 30 of the Social Security Act 1986”.

Marginal Citations

M18 1982 c. 24.

Employment and Training Act 1973 (c. 50)

- 45 In section 12(2)(b) of the Employment and Training Act 1973 (ancillary and transitional provisions) for the words “supplementary benefit within the meaning of the ^{M19}Supplementary Benefits Act 1976” there shall be substituted the words “income support”.

Marginal Citations

M19 1976 c. 71.

Legal Aid Act 1974 (c. 4)

- 46 In each of the following provisions of the Legal Aid Act 1974, for the words from “supplementary” to “1970” there shall be substituted the words “income support or family credit”—
- (a) section 1(1)(b);
 - (b) section 4(2);
 - (c) section 11(5).
- 47 In paragraph 3(c) of Part I of Schedule 1 to that Act for the words “18 of the ^{M20}Supplementary Benefits Act 1976” there shall be substituted the words “24 of the Social Security Act 1986”.

Marginal Citations

M20 1976 c. 71.

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

Changes to legislation: Social Security Act 1986 is up to date with all changes known to be in force on or before 22 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

F20 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\(a\)](#)

Local Government (Scotland) Act 1975 (c. 30)

Rating (Disabled Persons) Act 1978 (c. 40)

- 49 The words “the housing benefit scheme (whether or not modified under section 28 of the Social Security Act 1986)” shall be substituted for the words “a scheme made under section 28(1)(a) of the ^{M21}Social Security and Housing Benefits Act 1982 (whether or not modified under section 30(1)(a) of that Act)”—
- (a) in section 8(4) of the Local Government (Scotland) Act 1975 (payment of rates by instalments);
 - (b) in section 1(6) of the Rating (Disabled Persons) Act 1978 (rebates for hereditaments with special facilities for disabled persons); and
 - (c) in section 4(9) of that Act (rebates for lands and heritages with special facilities for disabled persons).

Marginal Citations

M21 1982 c. 24.

Employment Protection (Consolidation) Act 1978 (c. 44)

- 50 In section 132 of the Employment Protection (Consolidation) Act 1978 (recoupment of benefit)—
- (a) in subsection (2)(a) and (c), for the words “supplementary benefit” there shall be substituted the words “income support”;
 - (b) in subsection (3)—
 - (i) in paragraphs (a) and (f), for the words “supplementary benefit” there shall be substituted the words “income support”; and
 - (ii) in paragraph (e), for the words from “who” to the end of the paragraph there shall be substituted the words “a right of appeal to a social security appeal tribunal against any decision of an adjudication officer as to the total or partial recoupment of income support in pursuance of the regulations;”;
 - (c) in subsection (4), for the words from “supplementary benefit”, in the first place where those words occur, to the end there shall be substituted the words “income support, no sum shall be recoverable under the Social

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Security Act 1986, and no abatement, payment or reduction shall be made by reference to the income support recouped.”.

Child Care Act 1980 (c. 5)

51 The following subsection shall be substituted for subsection (1A) of section 45 of the Child Care Act 1980 (liability for contributions in respect of children in care)—

“(1A) A person shall not be liable under subsection (1)(i) above to make any contribution during any period when he is in receipt of income support or family credit.”.

Local Government, Planning and Land Act 1980 (c. 65)

52 (1) In section 54 of the Local Government, Planning and Land Act 1980 (rate support grant) in subsections (1) and (2) for the words “and subsidies under section 32(1)(a) of the ^{M22}Social Security and Housing Benefits Act 1982” there shall be substituted the words “and rate rebate subsidy under the Social Security Act 1986”.

(2) The following paragraph shall be substituted for subsection (5)(d) of that section—
“(d) subsection (10) or section 30 of the Social Security Act 1986 (power to exclude rate fund contributions under subsection (6) of that section and certain other items);”.

Marginal Citations

M22 1982 c. 24.

53 In section 154 of that Act (grant of rent rebates by urban developments corporations) for the words “Part II of the Social Security and Housing Benefits Act 1982” there shall be substituted the words “Part II of the Social Security Act 1986”.

54 **F21**

Textual Amendments

F21 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\(a\)](#)

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Civil Jurisdiction and Judgments Act 1982 (c. 27)

- 55 In paragraph 5 of Schedule 5 to the Civil Jurisdiction and Judgments Act 1982 (proceedings excluded from Schedule 4)—
- (a) in sub-paragraph (c), after “1976”, there shall be inserted the words “section 24 of the Social Security Act 1986, or any enactment applying in Northern Ireland and corresponding to it,”; and
 - (b) in sub-paragraph (d), after “1976,” there shall be inserted the words “section 25 of the Social Security Act 1986 or any enactment applying in Northern Ireland and corresponding to it,”.

Legal Aid Act 1982(c.44)

- 56 In section 7(8) of the Legal Aid Act 1982 (legal aid contribution orders) for the words from “supplementary benefit” to the end there shall be substituted the words “income support or family credit under the Social Security Act 1986.”.

Transport Act 1982 (c. 49)

- 57 In section 70(2)(b) of the Transport Act 1982 (payments in respect of applicants for exemption from wearing seat belts) for the words from “of” to “and” there shall be substituted the words “of income support or family credit and”.

Housing Act 1985 (c. 68)

- 58 In subsection (2)(b) of section 425 of the Housing Act 1985 (the local contribution differential) for the words “section 32 of the Social Security and Housing Benefits Act 1982” there shall be substituted the words “section 30 of the Social Security Act 1986”.
- 59 In Item 4 in Part I of Schedule 14 to that Act (items to be credited to the Housing Revenue Account) for the words “Social Security and Housing Benefits Act 1982” there shall be substituted the words “Social Security Act 1986”.
- 60 In paragraph 3 of Part IV of that Schedule (rate fund contributions to the Housing Revenue Account) for the words “section 34(1) of the Social Security and Housing Benefits Act 1982” there shall be substituted the words “section 30(6) of the Social Security Act 1986”.

Legal Aid (Scotland) Act 1986 (c. 47)

- 61 In section 8(b) (availability of legal advice and assistance) and section 11(2) (clients’ contributions) of the Legal Aid (Scotland) Act 1986, for the words from “supplementary” to “1970” there shall be substituted the words “income support or family credit”.

PART III

BENEFITS UNDER SOCIAL SECURITY ACT 1975

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

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Textual Amendments

F22 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\(a\)](#)

Industrial Injuries and Diseases (Old Cases) Act 1975 (c. 16)

67 **F23**

Textual Amendments

F23 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\(a\)](#)

68 (1) In section 4(8)(a) of that Act (parliamentary procedure for making of schemes) for the words “an up-rating order under the Social Security Act” there shall be substituted the words “any order or regulations under the Social Security Acts 1975 to 1986”.

(2) **F24**

Textual Amendments

F24 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\(a\)](#)

69, 70. **F25**

Textual Amendments

F25 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)–

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(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)

PART IV

STATUTORY MATERNITY PAY, STATUTORY SICK PAY ETC.

Income and Corporation Taxes Act 1970 (c. 10)

- 71 At the end of section 219A of the Income and Corporation Taxes Act 1970 (which charges certain payments to income tax under Schedule E) there shall be added “and (d) payments of statutory maternity pay under Part V of the Social Security Act 1986 or, in Northern Ireland, any corresponding provision contained in an Order in Council under the Northern Ireland Act 1974.”.

Social Security Act 1975 (c. 14)

- 72 F26

Textual Amendments

F26 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)

- 73 In section 122(4) of that Act for the words “either or both those Funds” there shall be substituted the words “that Fund”.

- 74 F27

Textual Amendments

F27 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.

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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)

Employment Protection (Consolidation) Act 1978 (c. 44)

- 75 In section 33 of the Employment Protection (Consolidation) Act 1978 (right to return to work) in subsections (3) and (4) for the word “rights” there shall be substituted the word “right” and in subsection (5) for the words “either of the rights” there shall be substituted the words “the right”.
- 76 In subsection (4) of section 123 of that Act (payment of unpaid contributions to pension schemes) for the words “maternity pay” there shall be substituted the words “statutory sick pay, statutory maternity pay under Part V of the Social Security Act 1986, maternity pay under Part III of this Act”.

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

- 77 F28

Textual Amendments

F28 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)

- 78 The following paragraph shall be inserted before paragraph (a) of section 45(2) of that Act (Parliamentary control of subordinate legislation)—
“(za) regulations under section 7 of this Act;”.

Insolvency Act 1985 (c. 65)

- 79 In paragraph 3(2)(d) of Part II of Schedule 4 to the Insolvency Act 1985 (preferential debts) the words from the beginning to “1982” shall cease to have effect.

Bankruptcy (Scotland) Act 1985 (c. 66)

- 80 Paragraph 9(2)(d) of Schedule 3 to the Bankruptcy (Scotland) Act 1985 (preferential debts) shall cease to have effect.

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Wages Act 1986 (c. 48)

- 81 In subsection (1)(f) of section 7 of the Wages Act 1986 (meaning of “wages”) for the words “maternity pay under Part III of the 1978 Act” there shall be substituted the words “statutory maternity pay under the Social Security Act 1986”.

PART V

COMMON PROVISIONS

Social Security Act 1973 (c. 38)

- 82 In section 68(1) of the Social Security Act 1973 (submission to Occupational Pensions Board of proposals to make regulations) for the word “Where” there shall be substituted the words “Subject to section 61 of the Social Security Act 1986, where”.

Social Security Act 1975 (c. 14)

- 83—88. **F29**

Textual Amendments

F29 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\(a\)](#)

- 89 In section 167(3) of that Act (parliamentary procedure) for the words “, 123A or 126A or an up-rating order” there shall be substituted the words “or 123A”.

- 90 **F30**

Textual Amendments

F30 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\(a\)](#)

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Social Security Pensions Act 1975 (c. 60)

91, 92. F31

Textual Amendments

F31 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\(a\)](#)

93 In subsection (1) of section 59 of that Act (official pension) for the words “that section” there shall be substituted the words “section 63 of the Social Security Act 1986”.

94 In section 61(2) of that Act (consultation about regulations)—
(a) for the word “Where” there shall be substituted the words “Subject to section 61 of the Social Security Act 1986, where”; and
(b) after the words “of this Act” there shall be inserted the words “or of Part I of the Social Security Act 1986”.

95 F32

Textual Amendments

F32 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\(a\)](#)

Child Benefit Act 1975 (c. 61)

96 At the end of subsection (1) of section 6 of the Child Benefit Act 1975 (child benefit claims and payments) there shall be added the words “and within the prescribed time”.

97 F33

Textual Amendments

F33 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\(7\)](#);

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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)

98—100. F34

Textual Amendments

F34 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)

PART VI

MISCELLANEOUS

Income and Corporation Taxes Act 1970 (c. 10)

- 101 In section 219 of the Income and Corporation Taxes Act 1970 (taxation of benefits)
- (a) in subsection (1), for the words, “maternity benefit” there shall be substituted the words “maternity allowance, widow’s payments”; and
- (b) in subsection (2), for the words “in respect of a family income supplement under the ^{M23}Family Income Supplements Act 1970 or the ^{M24}Family Income Supplements Act (Northern Ireland) 1971” there shall be substituted the words “of family credit under the Social Security Act 1986 or any corresponding enactment applying to Northern Ireland.”.

Marginal Citations

M23 1970 c. 55.
M24 1971 c. 8. (N.I.).

Attachment of Earnings Act 1971 (c. 32)

- 102 In section 24(2)(c) of the Attachment of Earnings Act 1971 (social security benefits etc. not earnings for purposes of Act) for the words from “of” to the end there shall be substituted “enactment relating to social security;”.

National Insurance Act 1974 (c. 14)Social Security Act 1980 (c. 30)Social Security Act 1985 (c. 53)

- 103 The words “the Social Security Acts 1975 to 1986” shall be substituted—

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- (a) F35
- (c) for the words “the Social Security Acts 1975 to 1985” in section 5 of the Social Security Act 1985.

Textual Amendments

F35 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\(a\)](#)

Social Security Act 1975 (c. 14)

- 104— F36
- 107.

Textual Amendments

F36 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\(a\)](#)

Forfeiture Act 1982 (c. 34)

- 108 In section 4 of the Forfeiture Act 1982—
- (a) F37
- (b) in subsection (5), for the words from “the ^{M25}Family Income Supplements Act 1970” to “the ^{M26}Social Security Act 1980” there shall be substituted the words—
- “the Child Benefit Act 1975,
the Social Security Acts 1975 to 1986.”

Textual Amendments

F37 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\(7\)](#);

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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)

Marginal Citations

M25 1970 c. 55.

M26 1980 c. 30.

SCHEDULE 11

Section 86.

REPEALS

Modifications etc. (not altering text)

C15 The text of Schs. 10, 11 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.

Chapter	Short title	Extent of repeal
11 & 12 Geo. 6. c. 29.	National Assistance Act 1948.	In Section 43(6), the words “, whether before or after the commencement of the Supplementary Benefits Act 1976,”. In section 50(4), the words “or subsection (3)” and the words from “less” to the end. Section 53.
1965 c. 55.	Statute Law Revision (Consequential Repeals) Act 1965.	The whole Act.
1966 c. 20.	Supplementary Benefit Act 1966.	Section 26.
1968 c. 49.	Social Work (Scotland) Act 1968.	In section 28(2), the words “and not reimbursed under section 32 of the Social Security Act 1975”.
1970 c. 10.	Income and Corporation Taxes Act 1970.	In section 219(1), the words “death grant”. In section 219A(1)(b), the word “and”
1970 c. 55.	Family Income Supplements Act 1970.	The whole Act.

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1971 c. 32.	Attachment of Earnings Act 1971.	Schedule 4.
1972 c. 70.	Local Government Act 1972.	In section 119(2), the words from “having” to the end.
1972 c. 75.	Pensioners and Family Income Supplement Payments Act 1972.	The whole Act.
1972 c. 80.	Pensioners’ Payments and National Insurance Contributions Act 1972.	The whole Act.
1973 c. 38.	Social Security Act 1973.	Section 92(3) and (4). In section 99(1), the definition of requisite benefits. Schedule 23.
1973 c. 61.	Pensioners’ Payments and National Insurance Act 1973.	The whole Act.
1974 c. 14.	National Insurance Act 1974.	In section 6(1), the words “the Supplementary Benefits Act 1976, the Family Income Supplements Act 1970,” and the words “or the Social Security and Housing Benefits Act 1982”.
1974 c. 54.	Pensioners’ Payments Act 1974.	The whole Act.
1975 c. 14.	Social Security Act 1975.	In section 1(1)(b), the words “and the Maternity Pay Fund”. In section 12, in subsection (1), paragraph (h), in subsection (2), the words “and widow’s allowance” and subsection (3). In section 13, in subsection (1), the entries relating to widow’s allowance and death grant, subsection (5)(a) and subsection (5A). Section 21. In section 25(3), the words “and for which she is not entitled to a widow’s allowance”.

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In section 26(3), the words “a widow’s allowance or”.

In section 28(1), the words from “(subject” to “rule))”.

Section 32.

Section 33(1)(a) to (c).

Section 34(2).

In section 37(3), the words from “and a woman” to the end.

Section 37A(4) and (7).

Section 41(2)(e) and (2C).

Section 50(2) and (5).

Section 57(5).

Section 58 and 59.

Section 60.

Section 62.

Sections 64 to 75.

Sections 79 to 81.

In section 82, subsections (3) and (4) and subsection (6)(a).

In section 84, subsection (3) and in subsection (5), the references to sections 65 and 66.

Section 86.

In section 88(a), the words from “or”, in the first place where it occurs, to “prescribed”, in the third place where it occurs.

In section 90, in subsection (2)(a), the words from “(including” to the end and in subsection (3), the references to sections 79 and 81.

In section 91, subsection (1)(b)(i) and in subsection (2), the words “section 58 (unemployability

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supplement),” and the words from “section 64” to the end.

Section 92.

Section 95.

In section 100, in subsection (1), the words “adversely to the claimant” and subsections (5) and (6).

In section 101(3)(c), the words “or, in relation to industrial death benefit, the deceased”.

In section 104(1A), the words “in prescribed circumstances”.

Section 106(3).

In section 107, in subsection (4), the words “, whether or not the claimant is the person at whose instance the declaration was made” and in subsection (6), the words “by fresh evidence” and paragraph (b).

In section 110(1), the words “by fresh evidence”.

Section 114(3) and (4).

In section 117, subsection (4) and in subsection (5), paragraph (a) and the word “and” immediately following it.

In section 119, subsections (1) to (2A), in subsection (3) (b), the words “or out of a requirement to repay any amount by virtue of subsection (2A) above”, subsection (4)(b) to (d) and subsections (5) and (6).

In section 122(4), the words “or the Maternity Pay Fund”.

Sections 124 to 126A.

In section 134(5)(b), the words from “and the

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Maternity Pay Fund” to
“determine”.

In section 135, subsections
(2)(g) and (6).

Section 136.

In section 141(2), the words
from “unless” to the end.

In section 143(1), the words
“relating to social security”.

Sections 144 and 145.

In section 146, in
subsection (1), the
words “under Part III of
the Pensions Act” and
subsection (3)(c) and (5).

Section 147.

In section 151(1), the
words “under Part III of the
Pensions Act”.

In section 152(8), the
words “of the Pensions
Act (including in particular
sections 47 and 64(3))” and
the words “under that Act”.

Section 164.

In Schedule 3, in Part I,
paragraph 7 and, in Part
II, in paragraph 8(2), in
paragraph (a), the words
“other than a widow’s
allowance,” in paragraph
8(3), the words “or a
maternity allowance,” in
paragraphs 9 and 10, the
words “(other than a widow’s
allowance)” and paragraph
12.

In Schedule 4, in Part I,
paragraph 5, Part II, in Part
IV, paragraph 4 and in Part V,
paragraphs 2, 4 to 6 and 10 to
15.

Schedule 5.

In Schedule 8, paragraph (b)
of the proviso to paragraph

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		5 and the word “and” immediately preceding it.
		Schedule 9.
		Schedule 14.
		In Schedule 16, paragraphs 3 and 4.
		In Schedule 20, the definitions of “The deceased” and “Industrial death benefit”, in the definition of “Relative”, the reference to sections 66(8) and 72(6), in the definition of “Short-term benefit” the words “and widow’s allowance”, the definitions of “Unemployability supplement” and “Up-rating order”, and in the definition of “Week”, the reference to section 64.
1975 c. 16.	Industrial Injuries and Diseases (Old Cases) Act 1975.	In section 4(4), paragraph (c) (ii) and the word “or” immediately preceding it. Section 9(3). Section 10.
1975 c. 18.	Social Security (Consequential Provisions) Act 1975.	In Schedule 2, paragraphs 5, 35, 41 and 44. In Schedule 3, paragraph 18.
1975 c. 60.	Social Security Pensions Act 1975.	In section 6, in subsection (2), the words from “or” to the end, in subsection (5), the words “Subject to subsection (5A) below,” and subsection (5A). In section 19(2), the words “and (3)(b).” Section 22(3) and (5). Section 23(1) and (5). Section 30(2). In section 32(4), the words “relating to the scheme or its management”. Section 33(1)(a) and (4).

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Section 34.

In section 36, subsections (2), (4) and (5), in subsection (6), the words “Subject to the following provisions of this section”, subsection (7), in subsection (8), the words from “but the scheme” to the end and subsection (9).

Section 37.

In section 39, subsections (2), (3) and (4)(a).

Section 41(4).

In section 44A(1)(b) and (4), the words “to requisite benefits”.

Section 46.

Section 49(3) and (7).

Section 52D(2) and (3).

Section 56K(4).

In section 66(1), the definition of “requisite benefits” and, in the definition of “resources”, the words “(whether requisite benefits or other benefits)”.

In Schedule 1A, in paragraph 12, in sub-paragraph (3), the words “Subject to sub-paragraph (4) below,” and sub-paragraph (4).

In Schedule 2, paragraph 4.

In Schedule 4, paragraphs 14 and 17, in paragraph 31 the definition of “requisite benefits” and paragraphs 32(a), 41, 42 and 51.

1975 c. 61.

Child Benefit Act 1975.

Section 5(5).

Section 6(2), (4) and (5).

Sections 7 and 8.

Section 9(1).

Sections 10 and 11.

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		In section 15(1), the words “relating to child benefit”.
		Section 17(3) to (6).
		In section 24(1), in the definition of “recognised educational establishment”, the words from “and” to the end.
		In Schedule 4, paragraphs 3 to 6, 11, 27, 29, 31 and 33.
1975 c. 71.	Employment Protection Act 1975.	In section 40, subsections (2) and (4).
1976 c. 36.	Adoption Act 1976.	Section 47(3).
1976 c. 71.	Supplementary Benefits Act 1976.	Sections 1 to 21.
		Sections 24 to 27.
		Sections 31 to 34.
		Schedule 1.
		In Schedule 5, in paragraph 1(2), the words from the beginning to “and” in the first place where it occurs.
		In Schedule 7, paragraphs 1(b) and (d), 3(a), 5, 19, 21, 23, 24, 31, 33 and 37.
1977 c. 5.	Social Security (Miscellaneous Provisions) Act 1977.	Section 9.
		Section 17(2).
		In section 18, in subsection (1), in paragraph (a) the words “and the Supplementary Benefits Act 1976” and paragraphs (c) and in subsection (2) paragraphs (a) and (b).
		Section 19.
		In section 22, in subsection (2), the references to sections 24(2) and 37(3) (b) of the Social Security Act 1975, and subsection (16).
1977 c. 51.	Pensioners’ Payments Act 1977.	The whole Act.

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1978 c. 44.

Employment Protection
(Consolidation) Act 1978.

In section 33, subsection (1) (a) and the word “and” immediately following it, in subsection (3), paragraph (c) and in paragraph (d) the words “in the case of the right to return” and in subsection (4), the words “to return”.

Sections 34 to 44.

Section 122(4)(e).

In section 123(5), the words “occupational pension”.

In section 127(3), the word “such” in the second place where it occurs.

In section 132, in subsection (1)(b) “,III” and in subsection (6), the definition of “supplementary benefit”.

In section 133(1)(a), “,33”.

In section 138, in subsection (1) the words “(except section 44)”, and in subsection (5) the words “(except section 44(3) and (4))”.

In section 139(1), the words “(except section 44)”.

In section 153(1) the definitions of “maternity pay”, “Maternity Pay Fund” and “maternity pay rebate”.

In section 155(1), the words “44 to”.

Section 156(1).

Section 157(2)(a) and the word “and” immediately following it.

In Schedule 14, paragraph 7(1)(d).

In Schedule 15, paragraph 7 and the heading immediately preceding it.

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1978 c. 58.	Pensioners' Payments Act 1978.	The whole Act.
1979 c. 18.	Social Security Act 1979.	Section 3(2). Sections 6 to 8. Sections 12 and 13. In Schedule 3, paragraphs 1, 2, 9, 16 and 24 to 27.
1979 c. 41.	Pneumoconiosis etc. (Workers' Compensation) Act 1979.	In section 2(3), the words "industrial death benefit under section 76 of the Social Security Act 1975, or".
1979 c. 48.	Pensioners' Payments and Social Security Act 1979.	The whole Act.
1980 c. 5.	Child Care Act 1980.	In section 25(2), the words from "less" to the end.
1980 c. 30.	Social Security Act 1980.	Section 1. Section 4(4). In section 5, in subsection (1) the words from "and in subsection (2)", in paragraph (i), to the end of the subsection and subsections (2) to (4). Section 7. In section 8, in subsection (1), the words "or 7". In section 9(7), the words "the Family Income Supplements Act 1970" and the words "and the Supplementary Benefits Act 1976". In section 10, in subsection (2) and in subsection (7), in the first place where they occur, the words "the Secretary of State or, as the case may be," and in subsection (7), the words "to the Secretary of State, or as the case may be," and paragraph (a). In section 14, subsection (6).

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		Section 15.
		In section 17(2), the words from “a tribunal” to the end.
		In section 18, in subsection (1), the words “the Family Income Supplements Act 1970;”, the words “the Supplementary Benefits Act 1976” and the word “and” immediately preceding them.
		Section 20(3).
		In Schedule 1, in paragraph 9, the words “or section 95(1) (b) or (c)” and paragraphs 10 and 12.
		In Schedule 2, paragraphs 1 to 20, and 22 to 30.
		In Schedule 3, in Part II, paragraphs 11, 15, 15B and 16 to 18.
1980 c. 39.	Social Security (No. 2) Act 1980.	Sections 1 and 2.
		In section 4(2), the words “and no earnings-related addition to a widow’s allowance”.
		Section 6.
1981 c. 33.	Social Security Act 1981.	Section 1.
		Section 4.
		In Schedule 1, paragraphs 1, 2, 3(b), 4, 5, 8 and 9.
1982 c. 24.	Social Security and Housing Benefits Act 1982.	Section 7(3) to (10).
		Section 8.
		Section 9(8) to (10).
		Sections 11 to 16.
		Sections 19 to 21.
		Section 25.
		Part II.
		Section 38.
		Section 41.

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		Section 42(1) and (2).
		Section 44(1)(a) and (f).
		In section 45, in subsection (1), the words from “and any power” to the end, in subsection (2), in paragraph (a), the words “7 or” and paragraphs (b) and (c) and subsection (3).
		In section 47 in the definition of “benefit”, the words “Part II and”.
		In Schedule 2, paragraph 6.
		Schedule 3.
		In Schedule 4, paragraphs 2, 4, 5, 14, 19, 22 to 28, 35(1) and (2) and 38.
1983 c. 36.	Social Security and Housing Benefits Act 1983.	The whole Act.
1983 c. 41.	Health and Social Services and Social Security Adjudications Act 1983.	Section 19(2).
		In Schedule 8, Parts III and IV and paragraphs 18 and 31(3).
		In Schedule 9, paragraph 20.
1984 c. 22.	Public Health (Control of Disease) Act 1984.	In section 46(5), the words from “less” to the end.
1984 c. 48.	Health and Social Security Act 1984.	Section 22.
		In section 27(2), the words “22 and”.
		In Schedule 4, in paragraph 3 the entry relating to section 79 and paragraphs 12 and 14.
		In Schedule 5, paragraphs 4 to 6.
1985 c. 53.	Social Security Act 1985.	Sections 15 to 17.
		Section 22.
		Section 27(8)(e).
		In section 32(2), the words “section 15” and the words

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		“section 22(1)(b) and (c) and (2)”.
		In Schedule 4, paragraph 2.
		In Schedule 5, paragraphs 6, 7, 10, 16, 19, 28, 37 and 38.
1985 c. 65.	Insolvency Act 1985.	In Part II of Schedule 4, the words in paragraph 3(2) (d) from the beginning to “1982”.
1985 c. 66.	Bankruptcy (Scotland) Act 1985.	In Schedule 3, paragraph 9(2) (d).
1986 c. 9.	Law Reform (Parent and Child) (Scotland) Act 1986.	In Schedule 1, paragraph 16.
		In Schedule 2, the entry relating to the Supplementary Benefits Act 1976.

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