

Changes to legislation: There are currently no known outstanding effects for the Social Security (Consequential Provisions) Act 1992, Cross Heading: Social Security Pensions Act 1975. (See end of Document for details)

SCHEDULES

SCHEDULE 2

CONSEQUENTIAL AMENDMENTS

Extent Information

- E1** [Sch. 2](#): Amendments and repeals (with specified exceptions) are coextensive with the enactments amended or repealed see [s. 7\(4\)\(5\)\(8\)](#)

Social Security Pensions Act 1975

- 19 The ^{M1}Social Security Pensions Act 1975 shall be amended as follows.

Marginal Citations

- M1** [1975 c. 60](#).

^{F1}20

Textual Amendments

- F1** [Sch. 2 paras. 20-33](#) repealed (7.2.1994) by [1993 c. 48, s. 188](#), [Sch. 5 Pt.I](#) (with [s. 6\(8\)](#)); [S.I. 1994/86, art. 2](#)

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Textual Amendments

- F2** [Sch. 2 paras. 20-33](#) repealed (7.2.1994) by [1993 c. 48, s. 188](#), [Sch. 5 Pt.I](#) (with [s. 6\(8\)](#)); [S.I. 1994/86, art. 2](#)

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Textual Amendments

- F3** [Sch. 2 paras. 20-33](#) repealed (7.2.1994) by [1993 c. 48, s. 188](#), [Sch. 5 Pt.I](#) (with [s. 6\(8\)](#)); [S.I. 1994/86, art. 2](#)

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Textual Amendments

- F4** [Sch. 2 paras. 20-33](#) repealed (7.2.1994) by [1993 c. 48, s. 188](#), [Sch. 5 Pt.I](#) (with [s. 6\(8\)](#)); [S.I. 1994/86, art. 2](#)

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Textual Amendments

F5 Sch. 2 paras. 20-33 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I** (with s. 6(8)); S.I. 1994/86, **art. 2**

^{F6}25

Textual Amendments

F6 Sch. 2 paras. 20-33 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I** (with s. 6(8)); S.I. 1994/86, **art. 2**

^{F7}26

Textual Amendments

F7 Sch. 2 paras. 20-33 repealed (7.2.1994) by 1993 c. 48, ss. 188, **Sch. 5 Pt.I** (with s. 6(8)); S.I. 1994/86, **art. 2**

^{F8}27

Textual Amendments

F8 Sch. 2 paras. 20-33 repealed (7.2.1994) by 1993 c. 48, ss. 188, **Sch. 5 Pt.I** (with s. 6(8)); S.I. 1994/86, **art. 2**

^{F9}28

Textual Amendments

F9 Sch. 2 paras. 20-33 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I** (with s. 6(8)); S.I. 1994/86, **art. 2**

^{F10}29

Textual Amendments

F10 Sch. 2 paras. 20-33 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I** (with s. 6(8)); S.I. 1994/86, **art. 2**

^{F11}30

Textual Amendments

F11 Sch. 2 paras. 20-33 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I** (with s. 6(8)); S.I. 1994/86, **art. 2**

^{F12}31

Textual Amendments

F12 Sch. 2 paras. 20-33 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I** (with s. 6(8)); S.I. 1994/86, **art. 2**

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F13 32

Textual Amendments

F13 Sch. 2 paras. 20-33 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt.I (with s. 6(8)); S.I. 1994/86, art. 2

F14 33

Textual Amendments

F14 Sch. 2 paras. 20-33 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt.I (with s. 6(8)); S.I. 1994/86, art. 2

34 In subsection (1) of section 59 (official pensions) for the words from “section 23” to “1986” there shall be substituted the words “ section 151 of the Administration Act a direction is given that the sums mentioned in section 150(1)(c) of that Act ”.

F15 35

Textual Amendments

F15 Sch. 2 para. 35 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt.I (with s. 6(8)); S.I. 1994/86, art. 2

F16 36

Textual Amendments

F16 Sch. 2 para. 36 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt.I (with s. 6(8)); S.I. 1994/86, art. 2

37 The following sections shall be inserted after section 61—

“61A Consultation with Social Security Advisory Committee about certain regulations.

- (1) Subject to section 173 of the Administration Act, where the Secretary of State proposes to make regulations under section 51A(10) above, he shall refer the proposals, in the form of draft regulations or otherwise, to the Social Security Advisory Committee (“the Committee”).
- (2) The Committee shall consider any proposals referred to it by the Secretary of State under subsection (1) above and shall make to the Secretary of State a report containing such recommendations with regard to the subject-matter of the proposals as the Committee thinks appropriate.
- (3) If after receiving a report of the Committee the Secretary of State lays before Parliament any regulations which comprise the whole or any part of the subject-matter of the proposals referred to the Committee, he shall lay with the regulations a copy of the Committee’s report and a statement showing—
 - (a) the extent (if any) to which he has, in framing the regulations, given effect to the Committee’s recommendations; and
 - (b) in so far as effect has not been given to them, his reasons why not.

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- (4) In the case of any regulations laid before Parliament at a time when Parliament is not sitting, the requirements of subsection (3) above shall be satisfied as respects either House of Parliament if a copy of the report and statement there referred to are laid before that House not later than the second day on which the House sits after the laying of the regulations.

61B Orders and regulations (general provisions).

- (1) Powers under this Act to make regulations or orders, except any power of the Occupational Pensions Board to make orders, are exercisable by statutory instrument.
- (2) Except in so far as this Act otherwise provides, any power conferred thereby to make regulations or an order may be exercised—
- (a) either in relation to all cases to which the power extends, or in relation to those cases subject to specified exceptions, or in relation to any specified cases or classes of case;
 - (b) so as to make, as respects the cases in relation to which it is exercised—
 - (i) the full provision to which the power extends or any less provision (whether by way of exception or otherwise),
 - (ii) the same provision for all cases in relation to which the power is exercised, or different provision for different cases or different classes of case or different provision as respects the same case or class of case for different purposes of this Act,
 - (iii) any such provision either unconditionally or subject to any specified condition;
- and where such a power is expressed to be exercisable for alternative purposes it may be exercised in relation to the same case for any or all of those purposes; and powers to make regulations or an order for the purposes of any one provision of this Act are without prejudice to powers to make regulations or an order for the purposes of any other provision.
- (3) Without prejudice to any specific provision in this Act, a power conferred by this Act to make regulations or an order includes power to make thereby such incidental, supplementary, consequential or transitional provision as appears to the authority making the regulations or order to be expedient for the purposes of the regulations or order.
- (4) Without prejudice to any specific provisions in this Act, a power conferred by this Act to make regulations or an order includes power to provide for a person to exercise a discretion in dealing with any matter.
- (5) A power conferred on the Secretary of State to make any regulations or order, where the power is not expressed to be exercisable with the consent of the Treasury, shall if the Treasury so direct be exercisable only in conjunction with them.”.

38

The following subsection shall be substituted for section 62(2)—

“(2) A statutory instrument—

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- (a) which contains (whether alone or with other provisions) any order or regulations made under this Act by the Secretary of State, other than an order which, under any provision of this Act, is required to be laid before Parliament after being made; and
- (b) which is not subject to any requirement that a draft of the instrument shall be laid before and approved by a resolution of each House of Parliament,

shall be subject to annulment in pursuance of a resolution of either House of Parliament.”.

39 In section 64(2)—

- (a) for the words “Subsection (5) of section 135 of the principal Act” there shall be substituted the words “ Section 165(5) of the Administration Act ”; and
- (b) for the words “subsection (3)(a) of that section” there shall be substituted the words “ section 163(2)(a) of that Act ”.

^{F17}40

Textual Amendments

F17 Sch. 2 paras. 40-42 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I** (with s. 6(8)); S.I. 1994/86, **art. 2**

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Textual Amendments

F18 Sch. 2 paras. 40-42 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I** (with s. 6(8)); S.I. 1994/86, **art. 2**

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Textual Amendments

F19 Sch. 2 paras. 40-42 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I** (with s. 6(8)); S.I. 1994/86, **art. 2**

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