

Changes to legislation: Tax Credits Act 2002, SCHEDULE 4 is up to date with all changes known to be in force on or before 19 April 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) View outstanding changes

SCHEDULES

SCHEDULE 4

Section 51

TRANSFER OF FUNCTIONS: CONSEQUENTIAL AMENDMENTS

Social Security Administration Act 1992 (c. 5)

- 1 The Social Security Administration Act 1992 has effect subject to the following amendments.

Commencement Information

- I1** Sch. 4 wholly in force at 7.4.2003; Sch. 4 not in force at Royal Assent, see s. 61; Sch. 4 in force for certain purposes at 26.2.2003 and 1.4.2003 and otherwise in force at 7.4.2003 by S.I. 2003/392, art. 2

F12

Textual Amendments

- F1** Sch. 4 para. 2 repealed (8.5.2012) by Welfare Reform Act 2012 (c. 5), ss. 107(3), 150(2)(d)

- 3 In section 189(8) (powers to make orders exercisable only with Treasury consent), after “made” insert “ by the Secretary of State ”.

Commencement Information

- I2** Sch. 4 wholly in force at 7.4.2003; Sch. 4 not in force at Royal Assent, see s. 61; Sch. 4 in force for certain purposes at 26.2.2003 and 1.4.2003 and otherwise in force at 7.4.2003 by S.I. 2003/392, art. 2

Social Security Contributions and Benefits (Northern Ireland) Act 1992 (c. 7)

- 4 The Social Security Contributions and Benefits (Northern Ireland) Act 1992 has effect subject to the following amendments.

Commencement Information

- I3** Sch. 4 wholly in force at 7.4.2003; Sch. 4 not in force at Royal Assent, see s. 61; Sch. 4 in force for certain purposes at 26.2.2003 and 1.4.2003 and otherwise in force at 7.4.2003 by S.I. 2003/392, art. 2

- 5 In section 171(1) (regulations and orders to be made by the Northern Ireland Department except where provision of the Act otherwise provides), after “to” insert “ any provision providing for regulations or orders to be made by the Treasury or the Commissioners of Inland Revenue and to ”.

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Commencement Information

I4 Sch. 4 wholly in force at 7.4.2003; Sch. 4 not in force at Royal Assent, see s. 61; Sch. 4 in force for certain purposes at 26.2.2003 and 1.4.2003 and otherwise in force at 7.4.2003 by S.I. 2003/392, art. 2

6 In section 172(11A) (regulations subject to draft affirmative Parliamentary procedure), for “or 118” substitute “, 118 or 141”.

Commencement Information

I5 Sch. 4 wholly in force at 7.4.2003; Sch. 4 not in force at Royal Assent, see s. 61; Sch. 4 in force for certain purposes at 26.2.2003 and 1.4.2003 and otherwise in force at 7.4.2003 by S.I. 2003/392, art. 2

Social Security Administration (Northern Ireland) Act 1992 (c. 8)

7 The Social Security Administration (Northern Ireland) Act 1992 has effect subject to the following amendments.

Commencement Information

I6 Sch. 4 wholly in force at 7.4.2003; Sch. 4 not in force at Royal Assent, see s. 61; Sch. 4 in force for certain purposes at 26.2.2003 and 1.4.2003 and otherwise in force at 7.4.2003 by S.I. 2003/392, art. 2

F28

Textual Amendments

F2 Sch. 4 para. 8 repealed (8.5.2012) by Welfare Reform Act 2012 (c. 5), ss. 107(3), 150(2)(d)

9 In sections 132(1) and 133 (orders for uprating of benefits corresponding to those made for Great Britain by Secretary of State), after “Secretary of State” insert “ or the Treasury”.

Commencement Information

I7 Sch. 4 wholly in force at 7.4.2003; Sch. 4 not in force at Royal Assent, see s. 61; Sch. 4 in force for certain purposes at 26.2.2003 and 1.4.2003 and otherwise in force at 7.4.2003 by S.I. 2003/392, art. 2

10 In section 165(3) (powers to make regulations and orders which are exercisable by statutory rule), after “Act” insert “ on the Department or the Lord Chancellor”.

Commencement Information

I8 Sch. 4 wholly in force at 7.4.2003; Sch. 4 not in force at Royal Assent, see s. 61; Sch. 4 in force for certain purposes at 26.2.2003 and 1.4.2003 and otherwise in force at 7.4.2003 by S.I. 2003/392, art. 2

11 (1) Section 166 (Parliamentary and Assembly control of orders and regulations) is amended as follows.

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- (2) In subsection (5), for the words from “in like” to the end substitute “ (in the case of regulations made by the Lord Chancellor in like manner as a statutory instrument, with section 5 of the Statutory Instruments Act 1946 (c. 36) applying accordingly) ”.
- (3) In subsection (10A), after “129” insert “ , 132, 133, 134 ”.

Commencement Information

- I9** Sch. 4 wholly in force at 7.4.2003; Sch. 4 not in force at Royal Assent, see s. 61; Sch. 4 in force for certain purposes at 26.2.2003 and 1.4.2003 and otherwise in force at 7.4.2003 by S.I. 2003/392, art. 2

Social Security Act 1998 (c. 14)

- 12 The Social Security Act 1998 has effect subject to the following amendments.

Commencement Information

- I10** Sch. 4 wholly in force at 7.4.2003; Sch. 4 not in force at Royal Assent, see s. 61; Sch. 4 in force for certain purposes at 26.2.2003 and 1.4.2003 and otherwise in force at 7.4.2003 by S.I. 2003/392, art. 2

- 13 (1) Section 79 (regulations and orders) is amended as follows.
- (2) In subsection (1), for “subsection (2)” substitute “ subsections (2) and (2A) ”.
- (3) After subsection (2) insert—
- “(2A) Subsection (1) has effect subject to any provision providing for regulations to be made by the Treasury or the Commissioners of Inland Revenue.”

Commencement Information

- I11** Sch. 4 wholly in force at 7.4.2003; Sch. 4 not in force at Royal Assent, see s. 61; Sch. 4 in force for certain purposes at 26.2.2003 and 1.4.2003 and otherwise in force at 7.4.2003 by S.I. 2003/392, art. 2

- 14 In section 80(2) (negative Parliamentary procedure for regulations made by Secretary of State), after “Secretary of State” insert “ , the Treasury or the Commissioners of Inland Revenue ”.

Commencement Information

- I12** Sch. 4 wholly in force at 7.4.2003; Sch. 4 not in force at Royal Assent, see s. 61; Sch. 4 in force for certain purposes at 26.2.2003 and 1.4.2003 and otherwise in force at 7.4.2003 by S.I. 2003/392, art. 2

- 15 References in Chapter 2 of Part 1 (social security decisions and appeals) to a decision of the Secretary of State are, where the context so requires in consequence of section 50, to be construed as references to a decision of the Board (or, where the power to decide is exercised by an officer of the Board, an officer of the Board).

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Commencement Information

I13 Sch. 4 wholly in force at 7.4.2003; Sch. 4 not in force at Royal Assent, see s. 61; Sch. 4 in force for certain purposes at 26.2.2003 and 1.4.2003 and otherwise in force at 7.4.2003 by S.I. 2003/392, art. 2

Social Security (Northern Ireland) Order 1998 (S.I. 1998/1506 (N.I. 10))

16 The Social Security (Northern Ireland) Order 1998 has effect subject to the following amendments.

Commencement Information

I14 Sch. 4 wholly in force at 7.4.2003; Sch. 4 not in force at Royal Assent, see s. 61; Sch. 4 in force for certain purposes at 26.2.2003 and 1.4.2003 and otherwise in force at 7.4.2003 by S.I. 2003/392, art. 2

17 (1) Article 74 (regulations and orders) is amended as follows.

(2) In paragraph (1), for “paragraph (2)” substitute “ paragraphs (2) and (2A) ”.

(3) After paragraph (2) insert—

“(2A) Paragraph (1) has effect subject to any provision providing for regulations to be made by the Treasury or the Commissioners of Inland Revenue.

(2B) Powers of the Treasury or the Commissioners of Inland Revenue to make regulations under this Order are exercisable by statutory instrument.”

Commencement Information

I15 Sch. 4 wholly in force at 7.4.2003; Sch. 4 not in force at Royal Assent, see s. 61; Sch. 4 in force for certain purposes at 26.2.2003 and 1.4.2003 and otherwise in force at 7.4.2003 by S.I. 2003/392, art. 2

18 (1) Article 75 (Assembly etc. control of regulations) is amended as follows.

(2) In paragraph (1), for “The regulations to which this paragraph applies” substitute “ Where regulations specified in paragraph (2) are made by the Department, they ”.

(3) After that paragraph insert—

“(1A) Where regulations specified in paragraph (2) fall to be made by the Treasury or the Commissioners of Inland Revenue they shall not be made unless a draft of the instrument containing them has been laid before Parliament and approved by a resolution of each House of Parliament.”

(4) In paragraph (2), for “Paragraph (1) applies to” substitute “ The regulations specified in this paragraph are ”.

(5) In paragraph (3), for “to which paragraph (1) applies” substitute “ specified in paragraph (2) ”.

(6) After that paragraph insert—

“(3A) Regulations made under this Order by the Treasury or the Commissioners of Inland Revenue, other than regulations specified in paragraph (2), shall

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

Commencement Information

I16 Sch. 4 wholly in force at 7.4.2003; Sch. 4 not in force at Royal Assent, see s. 61; Sch. 4 in force for certain purposes at 26.2.2003 and 1.4.2003 and otherwise in force at 7.4.2003 by S.I. 2003/392, art. 2

19 References in Chapter 2 of Part 2 (social security decisions and appeals) to a decision of the Department are, where the context so requires in consequence of section 50, to be construed as references to a decision of the Board (or, where the power to decide is exercised by an officer of the Board, an officer of the Board).

Commencement Information

I17 Sch. 4 wholly in force at 7.4.2003; Sch. 4 not in force at Royal Assent, see s. 61; Sch. 4 in force for certain purposes at 26.2.2003 and 1.4.2003 and otherwise in force at 7.4.2003 by S.I. 2003/392, art. 2

Immigration and Asylum Act 1999 (c. 33)

20 The Immigration and Asylum Act 1999 has effect subject to the following amendments.

Commencement Information

I18 Sch. 4 wholly in force at 7.4.2003; Sch. 4 not in force at Royal Assent, see s. 61; Sch. 4 in force for certain purposes at 26.2.2003 and 1.4.2003 and otherwise in force at 7.4.2003 by S.I. 2003/392, art. 2

21 In section 115(5) and (6) (exclusion of persons subject to immigration control from certain benefits), for “the benefits mentioned in subsection (1)(f) or (g)” substitute “child benefit”.

Commencement Information

I19 Sch. 4 wholly in force at 7.4.2003; Sch. 4 not in force at Royal Assent, see s. 61; Sch. 4 in force for certain purposes at 26.2.2003 and 1.4.2003 and otherwise in force at 7.4.2003 by S.I. 2003/392, art. 2

F³22

Textual Amendments

F3 Sch. 4 para. 22 repealed (14.6.2007) by Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (c. 19), s. 48(3), Sch. 4; S.I. 2007/1602, art. 2(2) (with art. 2(3)(4))

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SI 2003/962 by [S.I. 2008/3151 art. 3\(2\)](#) (art. 3(2) revoked (14. 7.2014) by S.I. 2014/1848)
- specified provision(s) amendment to earlier commencing SI 2003/962 art. 2(5) by [S.I. 2011/2910 art. 2](#) (Order revoked (14. 7.2014) by S.I. 2014/1848)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 35(2)-(12) substituted for s. 35(2) by [2012 c. 5 s. 124](#)
- s. 35(9) words substituted by [2020 c. 17 Sch. 24 para. 443\(1\)](#) (This amendment not applied to legislation.gov.uk. The substitution of s. 35(2)-(12) for s. 35(2) by 2021 c. 5, s. 124 is not yet in force)
- s. 36(10) words repealed by [2012 c. 5 Sch. 14 Pt. 12](#)