

# Social Security and Housing Benefits Act 1982

# **CHAPTER 24**

# SOCIAL SECURITY AND HOUSING BENEFITS ACT 1982

# **PART I**

# STATUTORY SICK PAY

1 Employer's liability

# The qualifying conditions

- 2 Period of incapacity for work
- 3 Period of entitlement
- 4 Qualifying days

# Limitations on entitlement, etc.

- 5 Limitations on entitlement
- 6 Notification of incapacity for work

# Rate of payment, etc.

- 7 Rate of payment
- 8 Regulations as to method of payment, etc.
- 9 Recovery by employers of amounts paid by way of statutory sick pay

Relationship with benefits and other payments, etc.

10 Relationship with benefits and other payments, etc.

# Determination of questions

- 11 Determination of questions by Secretary of State
- 12 Determination by insurance officer or local tribunal
- 13 Appeals
- 14 Review of decisions
- 15 Determination: supplemental
- 16 Enforcement of decisions
- 17 Provision of information: general
- 18 Claims for sickness and other benefits: provision of information by employers

# *Inspections and offences*

- 19 Inspections
- 20 Offences and penalties
- 21 General provisions as to prosecutions

#### Miscellaneous

- 22 Modification of provisions of Part I
- 23 Statutory sick pay to count as remuneration for principal Act
- 24 Payments of statutory sick pay wrongly made
- 25 Disclosure of information by Inland Revenue
- 26 Interpretation of Part I and supplementary provisions
- 27 Crown employment

#### PART II

# HOUSING BENEFITS

- 28 The statutory schemes
- 29 Variation of needs allowances
- 30 Local schemes
- 31 Publicity for schemes
- 32 Subsidies to authorities
- 33 Administration of subsidies
- 34 Rate fund contributions and rate support grant
- 35 Interpretation of Part II
- 36 Other supplementary provisions

## PART III

#### **MISCELLANEOUS**

- 37 Sick pay to count as remuneration for principal Act
- 38 Supplementary allowance: conditions
- 39 Industrial injuries
- 40 Refusal and cancellation of contracting-out certificates
- 41 Recovery of sums due to Secretary of State
- 42 Up-rating regulations
- 43 War pensions
- 44 Application of social security legislation in relation to territorial waters
- 45 Regulations
- 46 Expenses
- 47 Interpretation

48 Short title etc.

#### **SCHEDULES**

SCHEDULE 1 — Circumstances in which Periods of Entitlement do not Arise

- 1 A period of entitlement does not arise in relation to...
- 2 The circumstances are that—(a) at the relevant date the...
- 3 In this Schedule "relevant date" means the date...
- 4 (1) Paragraph 2(b) above does not apply in any case...
- 5 (1) In paragraph 2(d) above "invalidity pension day "...
- 6 For the purposes of paragraph 2(f) above, if an employee...
- 7 Paragraph 2(g) above does not apply in the case of...
- 8 Paragraph 2(f) above does not apply in relation to an...

SCHEDULE 2 — Relationship With Benefits and Other Payments, Etc

# The general principle

1 Any day which—(a) is a day of incapacity for...

#### Contractual remuneration

2 (1) Subject to sub-paragraphs (2) and (3) below, any entitlement...

# Sickness and unemployment benefit

- 3 (1) This paragraph applies in any case where—
- 4 (1) This paragraph applies in any case where—

### Invalidity pension

5 (1) This paragraph applies in any case where—

# Unemployability supplement

6 Paragraph 1 above does not apply in relation to section...

# Supplementary benefit

- 7 (1) This paragraph applies in any case where—
- 8 (1) This paragraph applies in any case where—
- 9 (1) Regulations shall provide—(a) for the extent to which,...
- Nothing in paragraphs 7 to 9 above shall be taken...

# Benefit paid when statutory sick pay due

11 (1) This paragraph applies in any case where—

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

- 12 In section 121 of the Employment Protection (Consolidation) Act 1978
- 13 In paragraphs 2(2) and 3(3) of Schedule 3 to the...

# SCHEDULE 3 — Determination of Questions : Procedure

1 The following are the kinds of provision referred to in...

- 2 Provision as to the form which is to be used...
- 3 Provision as to the time to be allowed for producing...
- 4 Provision for summoning persons to attend to give evidence or...
- 5 Provision for the award of costs or expenses.
- 6 Provision for authorising a local tribunal consisting of two or...
- 7 Provision for giving the chairman or acting chairman of a...
- 8 Provision for empowering the Secretary of State, an insurance officer,...
- 9 Provision that in such cases as may be prescribed, one...
- 10 Provision for the appointment by the Secretary of State of...
- 11 Provision for extending and defining the functions of assessors for...
- 12 Provision for withholding from a person the particulars of any...

# SCHEDULE 4 — Amendments and Transitional Provisions

PART I — MINOR AND CONSEQUENTIAL AMENDMENTS

National Assistance Act 1948 (c. 29)

1 In section 44 of the National Assistance Act 1948 (affiliation...

Maintenance Orders Act 1950 (c. 37)

2 In section 16(2)(b)(viii) of the Maintenance Orders Act 1950 (orders...

Industrial Training Act 1964 (c. 16)

3 Section 10 of the Industrial Training Act 1964 (accidents in...

Family Income Supplements Act 1970 (c. 55)

4 (1) Section 10 of the Family Income Supplements Act 1970...

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

5 (1) In section 24(1)(a) of the Housing (Financial Provisions) (Scotland)...

Housing Finance Act 1972 (c. 47)

6 (1) In paragraph (1) (a) of schedule 1 to the...

National Insurance Act 1974 (c. 14)

7 In section 6(1) of the National Insurance Act 1974 (power...

Social Security Act 1975 (c. 14)

- 8 In section 3 of the principal Act (meaning of "...
- 9 In section 14 of the principal Act (unemployment and sickness...
- 10 In section 15 of the principal Act (invalidity pension) the...
- 11 For subsection (2) of section 48 of the principal Act...
- 12 (1) Section 50 of the principal Act (descriptions of industrial...
- 13 In section 60(1) of the principal Act (increase of disablement...
- 14 (1) Section 79 of the principal Act is amended as...
- 15 In section 91(1)(b)(i) of the principal Act (regulations as to...
- 16 In section 141 of the principal Act (Industrial Injuries Advisory...
- 17 In paragraph 4 of Schedule 8 to the principal Act...

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

18 (1) Section 7 of the Industrial Injuries and Diseases (Old...

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

19 In section 8(4) of the Local Government (Scotland) Act 1975...

Social Security Pensions Act 1975 (c. 60)

- 20 In section 32 of the Social Security Pensions Act 1975...
- 21 In section 61(2) of the Act of 1975 (duty of...

# Supplementary Benefits Act 1976 (c. 71)

- 22 In section 12 of the Supplementary Benefits Act 1976 (prevention...
- 23 (1) Section 14 of the Act of 1976 (administration of...
- 24 In section 15A(4) of the Act of 1976 (powers of...
- 25 In section 19 of the Act of 1976 (affiliation orders)—...
- 26 In section 20 of the Act of 1976 (recovery in...

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

- 27 In section 1(6) of the Rating (Disabled Persons) Act 1978...
- 28 In section 4(9) of the Act of 1978 (rebates for...

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

29 In section 132(4)(b) of the Employment Protection (Consolidation) Act 1978...

# Social Security Act 1980 (c. 30)

- 30 In section 9 of the Social Security Act 1980 (functions...
- 31 In section 18(1) of the Act of 1980 (computation of...
- 32 (1) Part I of Schedule 3 to the Act of...
- 33 (1) Part II of Schedule 3 to the Act of...

# Social Security (No. 2) Act 1980 (c. 39)

34 (1) Section 5 of the Social Security (No. 2) Act...

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

- 35 (1) In section 54 of the Local Government, Planning and...
- For section 154 of the said Act of 1980 (grant...

# Industrial Training Act 1982 (c. 10)

- 37 In section 18 of the Industrial Training Act 1982 (industrial... PART II TRANSITIONALS
- 38 (1) Neither section 141(2) of the principal Act nor section...
- 39 Regulations may make provision with respect to the date from...

# SCHEDULE 5 — Repeals