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## SCHEDULES

### SCHEDULE 6

#### TRANSITIONAL PROVISIONS AND SAVINGS

##### PART II

###### *Specific Provisions (including some retained from previous Acts)*

- 4 The following enactments as having effect at the commencement of this Act shall, subject to the amendments therein specified in Schedule 7 to this Act, continue to have effect as amended by section 39 of, and Schedule 6 to, the Supplementary Benefit Act 1966, notwithstanding the repeal by this Act of the said Act of 1966:—  
the Polish Resettlement Act 1947  
the National Assistance Act 1948.
- 5 Any enactment or instrument that is to be construed in accordance with section 2(3) of the Supplementary Benefit Act 1966, as having effect in accordance with the Secretary of State for Social Services Order 1968, shall continue to be so construed notwithstanding the repeal by this Act of the said Act of 1966.
- 6 (1) The following provisions of this paragraph shall apply where, at 11th August 1966, a person (in this paragraph referred to as "the former beneficiary") was in receipt of—  
(a) a pension under the Old Age Pensions Act 1936 ; or  
(b) an assistance grant under the National Assistance Act 1948.
- (2) This Act shall apply, subject to the following provisions of this paragraph, as if a claim for a supplementary pension or a supplementary allowance, as the case may be, had been duly made by the former beneficiary or, if the former beneficiary is a woman falling within paragraph 3(1) of Schedule 1 to this Act, by the other person falling within that paragraph.
- (3) If the former beneficiary or the said other person is not entitled to a supplementary pension or supplementary allowance the Commission may nevertheless award him such a pension or allowance at a rate not exceeding that of the pension or grant mentioned in sub-paragraph (1) above ; and if he is entitled to a supplementary pension or supplementary allowance but at a lower rate the Commission may determine that it shall be payable at a rate not exceeding that of the said pension or grant.
- (4) If the former beneficiary is a woman falling within paragraph 3(1) of Schedule 1 to this Act then, unless she otherwise requests, so much of any supplementary pension or supplementary allowance payable (whether by virtue of this paragraph or otherwise) to the other person falling within that paragraph as is equal to the pension or grant mentioned in sub-paragraph (1) above shall be issued to the former beneficiary.

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- 7 Any appeal which, by virtue of paragraph 2 of Schedule 7 to the Supplementary Benefit Act 1966, could have been brought against a decision of the National Assistance Board to a tribunal constituted under Schedule 3 to that Act may be so brought to such of the tribunals constituted in accordance with Schedule 4 to this Act as, under that Schedule, has jurisdiction in the case in question, and in any such proceedings the Commission shall be a party instead of the said Board, notwithstanding the repeal by this Act of the said Act of 1966.
- 8 (1) Any proceedings for the recovery of a sum which, if the Supplementary Benefit Act 1966 had not been passed, could have been taken by the National Assistance Board may be taken—
- (a) if they are proceedings under section 43 or 44 of the National Assistance Act 1948, by the Commission;
  - (b) in any other case, by the Secretary of State.
- (2) Any payments ordered in proceedings continued or begun by virtue of subparagraph (1) above or of paragraph 7 of Schedule 7 to the Supplementary Benefit Act 1966 which, if that Act had not been passed, would have been ordered to be made to the National Assistance Board shall be ordered to be made to the Secretary of State.
- (3) The Commission instead of the Secretary of State shall be a party to any proceedings for the enforcement, variation or revocation of an order under section 43 or 44 of the National Assistance Act 1948 for the payment of money which, by virtue of subparagraph (2) above or of paragraph 5 above, is payable to the Secretary of State instead of to the National Assistance Board.