



Social Security and Housing Benefits Act 1982

1982 CHAPTER 24

An Act to make provision for the payment of statutory sick pay by employers; to make new provision with respect to the grant of, and the payment of subsidies in respect of, rate rebates, rent rebates and rent allowances; to amend the law relating to social security and war pensions; to amend section 44 of the National Assistance Act 1948; and for connected purposes. [28th June 1982]

PART I

STATUTORY SICK PAY

Modifications etc. (not altering text)

- C1 Power to modify Pt. I (ss. 1–27) conferred by [Social Security Act 1986 \(c. 50, SIF 113:1\)](#), [s. 17\(1\)](#)
- C2 Power to amend Pt. I (ss. 1–27) conferred by [Social Security Act 1986 \(c. 50, SIF 113:1\)](#), [s. 54\(1\)](#)
- C3 [Pt. I](#) modified by [S.I. 1991/589](#), [reg.2](#).

F1

Textual Amendments

- F1 [S. 1](#) repealed (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#), ss. 3, 7(2), [Sch.1](#) (subject as mentioned (6.3.1992) in [Local Government Finance Act 1992 \(c. 14\)](#), [s. 118\(5\)\(7\)](#) (with [s. 118\(1\)\(2\)\(4\)](#))).

Status: Point in time view as at 22/08/1996.

Changes to legislation: There are currently no known outstanding effects for the Social Security and Housing Benefits Act 1982. (See end of Document for details)

The qualifying conditions

F2

Textual Amendments
F2 S. 2 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), Sch.1 (subject as mentioned (6.3.1992) in Local Government Finance Act 1992 (c. 14), s. 118(5)(7) (with s. 118(1)(2)(4))).

F3

Textual Amendments
F3 S. 3 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), Sch.1 (subject as mentioned (6.3.1992) in Local Government Finance Act 1992 (c. 14), s. 118(5)(7) (with s. 118(1)(2)(4))).

F4

Textual Amendments
F4 S. 4 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), Sch.1 (subject as mentioned (6.3.1992) in Local Government Finance Act 1992 (c. 14), s. 118(5)(7) (with s. 118(1)(2)(4))).

Limitations on entitlement, etc.

F5

Textual Amendments
F5 S. 5 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), Sch.1 (subject as mentioned (6.3.1992) in Local Government Finance Act 1992 (c. 14), s. 118(5)(7) (with s. 118(1)(2)(4))).

F6

Status: Point in time view as at 22/08/1996.

Changes to legislation: There are currently no known outstanding effects for the Social Security and Housing Benefits Act 1982. (See end of Document for details)

Textual Amendments

F6 S. 6 repealed (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#), ss. 3, 7(2), [Sch.1](#) (subject as mentioned (6.3.1992) in [Local Government Finance Act 1992 \(c. 14\)](#), [s. 118\(5\)\(7\)](#) (with s. 118(1)(2)(4))).

Rate of payment, etc.

F7

Textual Amendments

F7 S. 7 repealed (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#), ss. 3, 7(2), [Sch.1](#) (subject as mentioned (6.3.1992) in [Local Government Finance Act 1992 \(c. 14\)](#), [s. 118\(5\)\(7\)](#) (with s. 118(1)(2)(4))).

8 **F8**

Textual Amendments

F8 S. 8 repealed by [Social Security Act 1986 \(c. 50, SIF 113:1\)](#), s. 86(2), [Sch. 11](#)

F9

Textual Amendments

F9 S. 9 repealed (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#), ss. 3, 7(2), [Sch.1](#) (subject as mentioned (6.3.1992) in [Local Government Finance Act 1992 \(c. 14\)](#), [s. 118\(5\)\(7\)](#) (with s. 118(1)(2)(4))).

Relationship with benefits and other payments, etc.

10.. Relationship with benefits and other payments, etc.

Schedule 2 to this Act has effect with respect to the relationship between statutory sick pay and certain benefits and payments and for the purpose of modifying other enactments.

Determination of questions

11— **F10**
16.

Status: Point in time view as at 22/08/1996.

Changes to legislation: There are currently no known outstanding effects for the Social Security and Housing Benefits Act 1982. (See end of Document for details)

Textual Amendments

F10 Ss. 11–16 repealed by Social Security Act 1986 (c. 50, SIF 113:1), s. 86(2), **Sch. 11**

^{F11}**17**

Textual Amendments

F11 S. 17 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1** (subject as mentioned (6.3.1992) in Local Government Finance Act 1992 (c. 14), s. **118(5)(7)** (with s. 118(1)(2)(4))).

^{F12}**18**

Textual Amendments

F12 S. 18 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1** (subject as mentioned (6.3.1992) in Local Government Finance Act 1992 (c. 14), s. **118(5)(7)** (with s. 118(1)(2)(4))).

19— ^{F13}
21.

Textual Amendments

F13 Ss. 19–21 repealed by virtue of Social Security Act 1986 (c. 50, SIF 113:1), s. 86(2), **Sch. 11**

Miscellaneous

^{F14}**22**

Textual Amendments

F14 S. 22 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1** (subject as mentioned (6.3.1992) in Local Government Finance Act 1992 (c. 14), s. **118(5)(7)** (with s. 118(1)(2)(4))).

^{F15}**23**

Status: Point in time view as at 22/08/1996.

Changes to legislation: There are currently no known outstanding effects for the Social Security and Housing Benefits Act 1982. (See end of Document for details)

Textual Amendments

F15 S. 23 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1** (subject as mentioned (6.3.1992) in Local Government Finance Act 1992 (c. 14), **s. 118(5)(7)** (with s. 118(1)(2)(4))).

F16 **23A**

Textual Amendments

F16 S. 23A inserted by Health and Social Security Act 1984 (c. 48), s. 21, **Sch. 7 para. 8** and repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1** (subject as mentioned (6.3.1992) in Local Government Finance Act 1992 (c. 14), **s. 118(5)(7)** (with s. 118(1)(2)(4))).

24 **F17**

Textual Amendments

F17 S. 24 repealed by Social Security Act 1985 (c. 53, SIF 113:1), ss. 21, 29(2), **Sch. 4 para. 5(a)**, Sch. 6

25 **F18**

Textual Amendments

F18 S. 25 repealed by Social Security Act 1986 (c. 50, SIF 113:1), s. 86(2), **Sch. 11**

F19 **26**

Textual Amendments

F19 S. 26 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1** (subject as mentioned (6.3.1992) in Local Government Finance Act 1992 (c. 14), **s. 118(5)(7)** (with s. 118(1)(2)(4))).

F20 **27**

Textual Amendments

F20 S. 27 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1** (subject as mentioned (6.3.1992) in Local Government Finance Act 1992 (c. 14), **s. 118(5)(7)** (with s. 118(1)(2)(4))).

Status: Point in time view as at 22/08/1996.

Changes to legislation: There are currently no known outstanding effects for the Social Security and Housing Benefits Act 1982. (See end of Document for details)

PART II

28 F21
36.

Textual Amendments
F21 Pt. II (ss. 28–36) repealed by Social Security Act 1986 (c. 50, SIF 113:1), s. 86(2), Sch. 11

PART III

MISCELLANEOUS

Modifications etc. (not altering text)
C4 Power to amend Pt. III (ss. 37–48) conferred by Social Security Act 1986 (c. 50, SIF 113:1), s. 54(1)
C5 Power to modify Pt. III (ss. 37–48) conferred by Social Security Act 1986 (c. 50, SIF 113:1), s. 17(1)

F22 37

Textual Amendments
F22 S. 37 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), Sch.1 (subject as mentioned (6.3.1992) in Local Government Finance Act 1992 (c. 14), s. 118(5)(7) (with s. 118(1)(2)(4))).

38 F23

Textual Amendments
F23 Ss. 38, 41(1)(2), 42(1)(2) repealed by Social Security Act 1986 (c. 50, SIF 113:1), s. 86(2), Sch. 11

39 Industrial injuries.

F24(1)
F24(3)
F24(4)

(5) Regulations may make such transitional or saving provision as the Secretary of State considers necessary or expedient in connection with the provisions of this section.

Status: Point in time view as at 22/08/1996.

Changes to legislation: There are currently no known outstanding effects for the Social Security and Housing Benefits Act 1982. (See end of Document for details)

Textual Amendments

F24 S. 39(1)-(4) repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1** (subject as mentioned (6.3.1992) in Local Government Finance Act 1992 (c. 14), s. **118(5)(7)** (with s. 118(1)(2)(4))).

F25 **40**

Textual Amendments

F25 S. 40 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I** (with s. 6(8)); S.I. 1994/86, **art. 2**

41 Recovery of sums due to Secretary of State.

(1) **F26**

(3) In section 20 of ^{M1}Supplementary Benefits Act 1976 (recovery in cases of misrepresentation or non-disclosure) the following subsections are inserted after subsection (5)—

“(6) Any sum which is, by virtue of this section or regulations under section 14(2) (dd) of this Act, recoverable by the Secretary of State in pursuance of a decision made by a benefit officer, the Appeal Tribunal or a Social Security Commissioner shall, if the person from whom that sum is recoverable resides in England and Wales and the county court so order, be recoverable by execution issued from the county court or otherwise as if it were payable under an order of that court.

(7) Any such decision may, if the person from whom the sum in question is recoverable resides in Scotland, be enforced in like manner as an extract registered decree arbitral bearing a warrant for execution issued by the sheriff court of any court any sheriffdom in Scotland.”

Textual Amendments

F26 Ss. 38, 41(1)(2), 42(1)(2) repealed by Social Security Act 1986 (c. 50, SIF 113:1), s. 86(2), **Sch. 11**

Modifications etc. (not altering text)

C6 The text of ss. 37, 39(2)-(4), 40, 41(3), 43(1) and 48(6) 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.

Marginal Citations

M1 1976 c. 71.

42 Up-rating regulations.

(1) **F27**

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Changes to legislation: There are currently no known outstanding effects for the Social Security and Housing Benefits Act 1982. (See end of Document for details)

- (3) Neither section 139 nor section 141 of the principal Act (consultation with the Council and with the Committee) shall be taken to have applied in relation to any regulations contained in the ^{M2}Social Security Benefits Up-rating Regulations 1979 or the ^{M3}Social Security Benefits Up-rating Regulations 1980.

Textual Amendments

F27 Ss. 38, 41(1)(2), 42(1)(2) repealed by Social Security Act 1986 (c. 50, SIF 113:1), s. 86(2), **Sch. 11**

Marginal Citations

M2 S.I. 1979/1278.

M3 S.I. 1980/1505.

43 War pensions.

- (1) In section 6 of the ^{M4}Pensions Appeal Tribunals Act 1943 (setting aside of Tribunal's decision and rehearing of appeal), after the words "Minister's decision" in subsection (2A) there are inserted the words " (the "original decision") " and after subsection (2B) there are inserted the following subsections—

“(2C) Where a direction for a rehearing is given under subsection (2A) above, the Minister may, before the expiry of the period of two months beginning with the date of the direction, review the original decision.

(2D) If, on any such review, the Minister is of the opinion that there are grounds for revising the original decision he shall—

- (a) notify the appellant of his opinion and of the revision which he proposes to make ; and
- (b) if the appellant withdraws his appeal against the original decision, revise it accordingly.”.

- (2) In any case where, before the commencement of this section, an award has been made in respect of a claim for a war pension, the validity of that award shall not be called into question on the ground that it was made—

- (a) in consequence of the review of a decision made in respect of the claim (whether or not following an appeal against that decision); and
- (b) at a time when there was no provision in force authorising that review.

- (3) The Secretary of State may by order make provision for determining the date from which any award made before the commencement of this section in respect of a claim for a war pension is to be taken to have had effect in a case where—

- (a) at the time when the award was made there was no provision in force for determining that date; or
- (b) the award was made following—
 - (i) an appeal to the High Court, Court of Session or Court of Appeal; or
 - (ii) the rehearing of any appeal;

and the date from which payment under the award was first made was later than the date from which payment was, by virtue of any provision in force at the time when the award was made, required to be first made.

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- (4) An order under subsection (3) above may provide that in any case where the date from which an award is, by virtue of the order, to be taken to have had effect is earlier than the date from which payment under the award was first made, any arrears due to a person in respect of the award shall be limited to those payable in respect of a specified period of not more than six years.
- (5) In this section “war pension” means—
- (a) such pensions and other benefits as are referred to in section 12 of the ^{M5}Social Security (Miscellaneous Provisions) Act 1977 (exercise by Order in Council of existing powers relating to benefits for death or disablement through service in the armed forces);
 - (b) any pension or benefit awarded under the ^{M6}Personal Injuries (Emergency Provisions) Act 1939, the ^{M7}Pensions (Navy, Army, Air Force and Mercantile Marine) Act 1939 or the ^{M8}Polish Resettlement Act 1947; and
 - (c) such other pensions and benefits as may be specified in an order made by the Secretary of State for the purposes of this section.

Modifications etc. (not altering text)

C7 The text of ss. 37, 39(2)–(4), 40, 41(3), 43(1) and 48(6) 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.

Marginal Citations

- M4** 193 c. 39.
- M5** 1977 c. 5.
- M6** 1939 c. 82.
- M7** 1939 c. 83.
- M8** 1947 c. 19.

F28 44

Textual Amendments

F28 S. 44 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), Sch.1 (subject as mentioned (6.3.1992) in Local Government Finance Act 1992 (c. 14), s. 118(5)(7) (with s. 118(1)(2)(4)).

45 Regulations.

- (1) Subsections (2), (3) and (5) of section 166 of the principal Act (which among other things make provision about the extent of powers to make orders and regulations) shall apply to any power to make orders or regulations conferred by this Act as they apply to any power to make orders or regulations conferred by that Act; . . . ^{F29}
- [^{F30}(2) Any power of the Secretary of State to make orders or regulations under this Act shall be exercisable by statutory instrument; and any statutory instrument—
- (a) which contains (whether alone or with other provisions) any such orders or regulations, other than an order under section 48(3) of this Act, and

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Changes to legislation: There are currently no known outstanding effects for the Social Security and Housing Benefits Act 1982. (See end of Document for details)

(b) which is not subject to any requirement that a draft of the instrument 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.]

(3) F31

Textual Amendments

- F29 Words repealed by [Social Security Act 1986 \(c. 50, SIF 113:1\)](#), s. 86(2), [Sch. 11](#)
- F30 [S. 45\(2\)](#) substituted by [Social Security Act 1990 \(c. 27, SIF 113:1\)](#), s. 21(1), [Sch. 6 para. 8\(7\)](#)
- F31 [S. 45\(3\)](#) repealed by [Social Security Act 1986 \(c. 50, SIF 113:1\)](#), s. 86(2), [Sch. 11](#)

46 Expenses.

(1) There shall be paid out of money provided by Parliament—
 (a) any administrative expenses of the Secretary of State incurred under this Act; and
 (b) any increase attributable to this Act in the sums payable out of money so provided under any other Act.

F32(2)

(3) F33

Textual Amendments

- F32 [S. 46\(2\)](#) repealed (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#), ss. 3, 7(2), [Sch.1](#) (subject as mentioned (6.3.1992) in [Local Government Finance Act 1992 \(c. 14\)](#), s. [118\(5\)\(7\)](#) (with [s. 118\(1\)\(2\)\(4\)](#))).
- F33 [S. 46\(3\)](#) repealed by [Social Security Act 1990 \(c. 27, SIF 113:1\)](#), s. 21(2), [Sch. 7](#)

47 Interpretation.

In this Act—
 “benefit”, except in . . . F34 section 43, has the same meaning as in the principal Act;
 “principal Act” means the M9 [Social Security Act 1975](#);
 “regulations” means regulations made by the Secretary of State;
 “tax year” means the period of twelve months beginning with 6th April in any year.

Textual Amendments

- F34 Words repealed by [Social Security Act 1986 \(c. 50, SIF 113:1\)](#), s. 86(2), [Sch. 11](#)

Modifications etc. (not altering text)

- C8 In the definition of “regulations” certain functions are transferred by [S.I. 1984/1818](#), art. 2(c), [Sch.](#)

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Changes to legislation: There are currently no known outstanding effects for the Social Security and Housing Benefits Act 1982. (See end of Document for details)

Marginal Citations

M9 1975 c. 14.

48 Short title etc.

(1) This Act may be cited as the Social Security and Housing Benefits Act 1982, and Parts I and III of this Act and the Social Security Acts 1975 to 1981 may be cited together as the Social Security Acts 1975 to 1982.

^{F35}(2)

(3) The following provisions come into force on the passing of this Act—

- (a) sections 7, 26, 40, 42 and 44 to 47;
- (b) paragraphs 1 to 4, 7, 11, 14(1) and (3), 16, 21, 23 to 25, 30 to 34, 37 and 38 of Schedule 4; and
- (c) subsections (1) to (4) and (7) of this section and subsection (5) of this section so far as it relates to the provisions mentioned in paragraph (b) above:

and the other provisions of this Act come into force on such day as the Secretary of State may appoint by order made by statutory instrument; and different days may be appointed for different provisions, different purposes or different areas.

(4) An order under subsection (3) above may make such transitional provision as appears to the Secretary of State to be necessary or expedient in connection with the provisions thereby brought into force.

(5) The enactments mentioned in Part I of Schedule 4 to this Act shall have effect subject to the minor and consequential amendments specified in that Part; and the transitional provisions in Part II of that Schedule shall have effect.

(6) The enactments mentioned in Schedule 5 to this Act (which include some that are spent) are hereby repealed to the extent specified in the third column of that Schedule.

(7) This Act, except sections 42(2), 43 and 45 and this section and paragraphs 2 and 30, 32 and 33 of Schedule 4, does not extend to Northern Ireland.

Textual Amendments

F35 S. 48(2) repealed (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#), ss. 3, 7(2), [Sch.1](#) (subject as mentioned (6.3.1992) in [Local Government Finance Act 1992 \(c. 14\)](#), s. [118\(5\)\(7\)](#) (with s. [118\(1\)\(2\)\(4\)](#))).

Modifications etc. (not altering text)

C9 Power of appointment conferred by s. 48(3) partly exercised: [S.I. 1982/893](#) and 1982/906

C10 The text of ss. 37, 39(2)–(4), 40, 41(3), 43(1) and 48(6) 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.

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Changes to legislation: There are currently no known outstanding effects for the Social Security and Housing Benefits Act 1982. (See end of Document for details)

SCHEDULES

F36 SCHEDULE 1

Section 3(3).

Textual Amendments

F36 Sch. 1 repealed (1.7.1992) [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\), ss. 3, 7\(2\), Sch.1](#) (subject as mentioned (6.3.1992) in [Local Government Finance Act 1992 \(c. 14\), s. 118\(5\)\(7\)](#) (with s. 118(1)(2)(4))).

F37₁

Textual Amendments

F37 Sch. 1 repealed (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\), ss. 3, 7\(2\), Sch.1](#) (subject as mentioned (6.3.1992) in [Local Government Finance Act 1992 \(c. 14\), s. 118\(5\)\(7\)](#) (with s. 118(1)(2)(4))).

F38₂

Textual Amendments

F38 Sch. 1 repealed (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\), ss. 3, 7\(2\), Sch.1](#) (subject as mentioned (6.3.1992) in [Local Government Finance Act 1992 \(c. 14\), s. 118\(5\)\(7\)](#) (with s. 118(1)(2)(4))).

F39₃

Textual Amendments

F39 Sch. 1 repealed (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\), ss. 3, 7\(2\), Sch.1](#) (subject as mentioned (6.3.1992) in [Local Government Finance Act 1992 \(c. 14\), s. 118\(5\)\(7\)](#) (with s. 118(1)(2)(4))).

F40₄

Textual Amendments

F40 Sch. 1 repealed (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\), ss. 3, 7\(2\), Sch.1](#) (subject as mentioned (6.3.1992) in [Local Government Finance Act 1992 \(c. 14\), s. 118\(5\)\(7\)](#) (with s. 118(1)(2)(4))).

F41₅

Status: Point in time view as at 22/08/1996.

Changes to legislation: There are currently no known outstanding effects for the Social Security and Housing Benefits Act 1982. (See end of Document for details)

Textual Amendments

F41 Sch. 1 repealed (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\), ss. 3, 7\(2\), Sch.1](#) (subject as mentioned (6.3.1992) in [Local Government Finance Act 1992 \(c. 14\), s. 118\(5\)\(7\)](#) (with s. 118(1)(2)(4))).

F42⁶

Textual Amendments

F42 Sch. 1 repealed (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\), ss. 3, 7\(2\), Sch.1](#) (subject as mentioned (6.3.1992) in [Local Government Finance Act 1992 \(c. 14\), s. 118\(5\)\(7\)](#) (with s. 118(1)(2)(4))).

F43⁷

Textual Amendments

F43 Sch. 1 repealed (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\), ss. 3, 7\(2\), Sch.1](#) (subject as mentioned (6.3.1992) in [Local Government Finance Act 1992 \(c. 14\), s. 118\(5\)\(7\)](#) (with s. 118(1)(2)(4))).

F44⁸

Textual Amendments

F44 Sch. 1 repealed (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\), ss. 3, 7\(2\), Sch.1](#) (subject as mentioned (6.3.1992) in [Local Government Finance Act 1992 \(c. 14\), s. 118\(5\)\(7\)](#) (with s. 118(1)(2)(4))).

SCHEDULE 2

Section 10.

RELATIONSHIP WITH BENEFITS AND OTHER PAYMENTS, ETC.

The general principle

F45¹

Textual Amendments

F45 Sch. 2 para. 1 repealed (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\), ss. 3, 7\(2\), Sch.1](#) (subject as mentioned (6.3.1992) in [Local Government Finance Act 1992 \(c. 14\), s. 118\(5\)\(7\)](#) (with s. 118(1)(2)(4))).

F46^{1A}

Status: Point in time view as at 22/08/1996.

Changes to legislation: There are currently no known outstanding effects for the Social Security and Housing Benefits Act 1982. (See end of Document for details)

Textual Amendments

F46 Sch. 2 para. 1A inserted by Social Security Act 1985 (c. 53), s. 18(6)(b) and repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), Sch.1 (subject as mentioned (6.3.1992) in Local Government Finance Act 1992 (c. 14), s. 118(5)(7) (with s. 118(1)(2)(4))).

Contractual remuneration

F47₂

Textual Amendments

F47 Sch. 2 para. 2 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), Sch.1 (subject as mentioned (6.3.1992) in Local Government Finance Act 1992 (c. 14), s. 118(5)(7) (with s. 118(1)(2)(4))).

Sickness and unemployment benefit

F48₃

Textual Amendments

F48 Sch. 2 para. 3 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), Sch.1 (subject as mentioned (6.3.1992) in Local Government Finance Act 1992 (c. 14), s. 118(5)(7) (with s. 118(1)(2)(4))).

F49₄

Textual Amendments

F49 Sch. 2 para. 4 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), Sch.1 (subject as mentioned (6.3.1992) in Local Government Finance Act 1992 (c. 14), s. 118(5)(7) (with s. 118(1)(2)(4))).

5 F50

Textual Amendments

F50 Sch. 2 para. 5 repealed by Social Security Act 1985 (c. 53, SIF 113:1), s. 29(2), Sch. 6

6 F51

Textual Amendments

F51 Sch. 2 para. 6 repealed by Social Security Act 1986 (c. 50, SIF 113:1), s. 86(2), Sch. 11

7—11. F52

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Changes to legislation: There are currently no known outstanding effects for the Social Security and Housing Benefits Act 1982. (See end of Document for details)

Textual Amendments

F52 Sch. 2 paras. 7–11 repealed by Social Security Act 1985 (c. 53, SIF 113:1), ss. 21, 29(2), **Sch. 4 para. 5(b)**, Sch. 6

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

12 **F53**

Textual Amendments

F53 Sch. 2 para. 12 repealed by Insolvency Act 1985 (c. 65, SIF 66), s. 235(3)(4), **Sch. 10 Pt. IV**

F54 13

Textual Amendments

F54 Sch. 2 para. 13 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

SCHEDULE 3

. . . **F55**

Textual Amendments

F55 Sch. 3 repealed by Social Security Act 1986 (c. 50, SIF 113:1), s. 86(2), **Sch. 11**

SCHEDULE 4

Section 48(5).

AMENDMENTS AND TRANSITIONAL PROVISIONS

PART I

MINOR AND CONSEQUENTIAL AMENDMENTS

Modifications etc. (not altering text)

C11 The text of Sch. 4 Pt. I (paras. 1–37) 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.

Status: Point in time view as at 22/08/1996.

Changes to legislation: There are currently no known outstanding effects for the Social Security and Housing Benefits Act 1982. (See end of Document for details)

f^{F56} National Assistance Act 1948 (c. 29)

Textual Amendments

F56 Sch. 4 para. 1 repealed (E.W.) by Family Law Reform Act 1987 (c. 42, SIF 49:7), s. 33(4), Sch. 4 (with s. 33(2), Sch. 3 paras. 1, 6)

- 1 In section 44 of the National Assistance Act 1948 (affiliation orders)—
 - (a) in subsection (4) for the words “the mother or a person appointed to have custody of the child” there are substituted the words “ a person entitled thereunder ” ; and
 - (b) in subsection (6) for the words from “the mother or a person” to the end there are substituted the words “ a person entitled as mentioned in subsection (4) above ”.]

2 **F57**

Textual Amendments

F57 Sch. 4 paras. 2, 4, 5 repealed by Social Security Act 1986 (c. 50, SIF 113:1), s. 86(2), Sch. 11

Industrial Training Act 1964 (c. 16)

- 3 Section 10 of the Industrial Training Act 1964 (accidents in connection with training), as it applies otherwise than in relation to the Agricultural Training Board, shall have effect as if after the word “board” in subsection (1) and in each place where it occurs in subsection (3) there were inserted the words “ the Commission or the Minister ”.

4, 5. **F58**

Textual Amendments

F58 Sch. 4 paras. 2, 4, 5 repealed by Social Security Act 1986 (c. 50, SIF 113:1), s. 86(2), Sch. 11

Housing Finance Act 1972 (c. 47)

- 6 (1) In paragraph 1(1)(a) of Schedule 1 to the Housing Finance Act 1972 (the Housing Revenue Account) the words “or water rates or charges” are hereby repealed.

(2) **F59**

Textual Amendments

F59 Sch. 4 para. 6(2)–(4) repealed (E.W.) by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), s. 3(1), Sch. 1 Pt. I

National Insurance Act 1974 (c. 14)

F607

Status: Point in time view as at 22/08/1996.

Changes to legislation: There are currently no known outstanding effects for the Social Security and Housing Benefits Act 1982. (See end of Document for details)

Textual Amendments

F60 Sch. 4 para. 7 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1** (subject as mentioned (6.3.1992) in Local Government Finance Act 1992 (c. 14), **s. 118(5)(7)** (with s. 118(1)(2)(4))).

Social Security Act 1975 (c. 14)

F61⁸

Textual Amendments

F61 Sch. 4 para. 8 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1** (subject as mentioned (6.3.1992) in Local Government Finance Act 1992 (c. 14), **s. 118(5)(7)** (with s. 118(1)(2)(4))).

F62⁹

Textual Amendments

F62 Sch. 4 para. 9 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1** (subject as mentioned (6.3.1992) in Local Government Finance Act 1992 (c. 14), **s. 118(5)(7)** (with s. 118(1)(2)(4))).

F63¹⁰

Textual Amendments

F63 Sch. 4 para. 10 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1** (subject as mentioned (6.3.1992) in Local Government Finance Act 1992 (c. 14), **s. 118(5)(7)** (with s. 118(1)(2)(4))).

11 F64

Textual Amendments

F64 Sch. 4 para. 11 repealed by Social Security Act 1989 (c. 24, SIF 113:1), s. 31(2), **Sch. 9**

F65¹²

Textual Amendments

F65 Sch. 4 para. 12 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1** (subject as mentioned (6.3.1992) in Local Government Finance Act 1992 (c. 14), **s. 118(5)(7)** (with s. 118(1)(2)(4))).

F66¹³

Status: Point in time view as at 22/08/1996.

Changes to legislation: There are currently no known outstanding effects for the Social Security and Housing Benefits Act 1982. (See end of Document for details)

Textual Amendments

F66 Sch. 4 para. 13 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1** (subject as mentioned (6.3.1992) in Local Government Finance Act 1992 (c. 14), **s. 118(5)(7)** (with s. 118(1)(2)(4))).

14 **F67**

Textual Amendments

F67 Sch. 4 para. 14 repealed by Social Security Act 1986 (c. 50, SIF 113:1), s. 86(2), **Sch. 11**

F68 15

Textual Amendments

F68 Sch. 4 para. 15 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1** (subject as mentioned (6.3.1992) in Local Government Finance Act 1992 (c. 14), **s. 118(5)(7)** (with s. 118(1)(2)(4))).

F69 16

Textual Amendments

F69 Sch. 4 para. 16 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1** (subject as mentioned (6.3.1992) in Local Government Finance Act 1992 (c. 14), **s. 118(5)(7)** (with s. 118(1)(2)(4))).

F70 17

Textual Amendments

F70 Sch. 4 para. 17 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1** (subject as mentioned (6.3.1992) in Local Government Finance Act 1992 (c. 14), **s. 118(5)(7)** (with s. 118(1)(2)(4))).

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

F71 18

Textual Amendments

F71 Sch. 4 para. 18 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1** (subject as mentioned (6.3.1992) in Local Government Finance Act 1992 (c. 14), **s. 118(5)(7)** (with s. 118(1)(2)(4))).

19 **F72**

Status: Point in time view as at 22/08/1996.

Changes to legislation: There are currently no known outstanding effects for the Social Security and Housing Benefits Act 1982. (See end of Document for details)

Textual Amendments

F72 Sch. 4 paras. 19, 22–28, 35(1)(2) repealed by Social Security Act 1986 (c. 50, SIF 113:1), s. 86(2), **Sch. 11**

Social Security Pensions Act 1975 (c. 60)

F7320

Textual Amendments

F73 Sch. 4 para. 20 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I** (with s. 6(8)); S.I. 1994/86, **art. 2**

F7421

Textual Amendments

F74 Sch. 4 para. 21 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I** (with s. 6(8)); S.I. 1994/86, **art. 2**.

22—28 **F75**

Textual Amendments

F75 Sch. 4 paras. 19, 22–28, 35(1)(2) repealed by Social Security Act 1986 (c. 50, SIF 113:1), s. 86(2), **Sch. 11**

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

29 In section 132(4)(b) of the Employment Protection (Consolidation) Act 1978 (which provides that certain provisions of the Supplementary Benefits Act 1976 relating to the recovery of benefit shall not apply to supplementary benefit recouped by virtue of that section) for the words “section 12(1), (2) or (3)” there are substituted the words “section 12(1) or (2)”.

Social Security Act 1980 (c. 30)

F7630

Textual Amendments

F76 Sch. 4 para. 30 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1** (subject as mentioned (6.3.1992) in Local Government Finance Act 1992 (c. 14), **s. 118(5) (7)** (with s. 118(1)(2)(4)).

F7731

Status: Point in time view as at 22/08/1996.

Changes to legislation: There are currently no known outstanding effects for the Social Security and Housing Benefits Act 1982. (See end of Document for details)

Textual Amendments

F77 Sch. 4 para. 31 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1** (subject as mentioned (6.3.1992) in Local Government Finance Act 1992 (c. 14), **s. 118(5)(7)** (with s. 118(1)(2)(4))).

F78 32

Textual Amendments

F78 Sch. 4 para. 32 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1** (subject as mentioned (6.3.1992) in Local Government Finance Act 1992 (c. 14), **s. 118(5)(7)** (with s. 118(1)(2)(4))).

F79 33

Textual Amendments

F79 Sch. 4 para. 33 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1** (subject as mentioned (6.3.1992) in Local Government Finance Act 1992 (c. 14), **s. 118(5)(7)** (with s. 118(1)(2)(4))).

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

F80 34

Textual Amendments

F80 Sch. 4 para. 34 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1** (subject as mentioned (6.3.1992) in Local Government Finance Act 1992 (c. 14), **s. 118(5)(7)** (with s. 118(1)(2)(4))).

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

35 (1) **F81**

(3) In subsection (6) of that section (excluded items) paragraph (c) and the word “and” immediately preceding that paragraph are hereby repealed.

Textual Amendments

F81 Sch. 4 paras. 19, 22–28, 35(1)(2) repealed by Social Security Act 1986 (c. 50, SIF 113:1), s. 86(2), **Sch. 11**

36 For section 154 of the said Act of 1980 (grant of rent rebates by urban development corporations) there is substituted the following section—

“**154**(1) If the Secretary of State so provides by order, such provisions of Part II of the Social Security and Housing Benefits Act 1982 relating to rent rebates as may be specified in the order shall have effect in relation to an urban development corporation—

Status: Point in time view as at 22/08/1996.

Changes to legislation: There are currently no known outstanding effects for the Social Security and Housing Benefits Act 1982. (See end of Document for details)

- (a) as if the corporation were a housing authority ; and
 - (b) with such other modifications (if any) as may be so specified.
- (2) The power to make an order under this section shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.”.

Industrial Training Act 1982 (c. 10)

37 In section 18 of the Industrial Training Act 1982 (industrial injuries benefit for accidents in training) after the word “board” in subsection (1) and in each place where it occurs in subsection (3) there shall be inserted the words “ , the Commission or the Secretary of State ”.

PART II

TRANSITIONALS

38 F82

Textual Amendments

F82 Sch. 4 para. 38 repealed by Social Security Act 1986 (c. 50, SIF 113:1), s. 86(2), **Sch. 11**

F83 39

Textual Amendments

F83 Sch. 4 para. 39 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1** (subject as mentioned (6.3.1992) in Local Government Finance Act 1992 (c. 14), **s. 118(5)(7)** (with s. 118(1)(2)(4))).

SCHEDULE 5

Section 48(6).

REPEALS

Modifications etc. (not altering text)

C12 The text of Sch. 5 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.

Chapter	Short title	Extent of repeal
1972 c. 46.	The Housing (Financial Provisions) (Scotland) Act 1972.	In section 1(2), the entries relating to rent rebates and rent allowances subsidies. Section 1(3).

Status: Point in time view as at 22/08/1996.

Changes to legislation: There are currently no known outstanding effects for the Social Security and Housing Benefits Act 1982. (See end of Document for details)

		Sections 5, 6 and 11.
		Part II.
		Schedules 2 and 3.
1972 c. 47.	The Housing Finance Act 1972.	In section 1(2), the entry relating to rent allowance subsidy.
		Section 17(2).
		Part II.
		In section 104(1), in the definition of “dwelling” the words “except in Part II of this Act”.
		In Schedule 1, in paragraph 1(1)(a) the words “or water rates or charges”.
		Schedules 3 and 4.
1973 c. 6.	The Furnished Lettings (Rent Allowances) Act 1973.	The whole Act.
1973 c. 65.	The Local Government (Scotland) Act 1973.	Sections 112 to 115.
		In Schedule 12, paragraph 23.
1974 c. 7.	The Local Government Act 1974.	In section 8, subsections (1) and (4) and, in subsection (3) the words “subsection (1) or”.
		Sections 11 to 14.
1974 c. 51.	The Rent Act 1974.	Sections 11 and 12.
		In Schedule 3, paragraphs 4 to 6.
1975 c. 6.	The Housing Rents and Subsidies Act 1975.	In section 1(1) the words from “but without prejudice” to the end.
		Section 3.
		Section 12.
		In section 16(1), the definition of “rate fund contribution” and “standard amount of rent rebates”.
		In Schedule 5, paragraphs 3 to 5 and 8(3).
1975 c. 14.	The Social Security Act 1975.	In section 4(2), the words “Subject to section 6 below”.

Status: Point in time view as at 22/08/1996.

Changes to legislation: There are currently no known outstanding effects for the Social Security and Housing Benefits Act 1982. (See end of Document for details)

Section 50(2)(a).

Section 56.

In section 64(1) and (2),
paragraph (a).

In section 65(4) the words
“injury benefit or”, “benefit
or” and “paragraph 11 or as
the case may be,”.

In section 66, in
subsection (1), the words
“of injury benefit and” and
subsection (2)(a).

In section 77(2)(a) the words
“injury benefit and”.

Section 78(4)(a).

In section 81(3) the words
“injury benefit”.

In section 87(3) the words
“injury benefit or”.

In section 89(1) the words
“unjury benefit or”.

In section 90, subsection (1),
in subsection (2) the words
from “disqualifying”, in the
first place, to “provide for”,
in the second place, and in
subsection (4)(a) the words
“subsection (1) above, or
those of”.

In section 91(1), in
paragraph (a) the words from
“either” to “or pensions or”
and in paragraph (b) the
words “injury benefit or”.

In section 92(2) the words
“injury benefit, and”.

In Schedule 4, in Part V,
paragraphs 1, 9 and 11.

In Schedule 11, paragraph 2.

1975 c. 28.

The Housing Rents and
Subsidies (Scotland) Act
1975.

In Schedule 3, paragraphs 6
and 8.

1975 c. 60.

The Social Security Pensions
Act 1975.

In Schedule 4, paragraph 22.

Status: Point in time view as at 22/08/1996.

Changes to legislation: There are currently no known outstanding effects for the Social Security and Housing Benefits Act 1982. (See end of Document for details)

1975 c. 61.	The Child Benefit Act 1975.	In Schedule 4, paragraph 39.
1976 c. 71.	The Supplementary Benefits Act 1976.	Section 12(3). In Schedule 7, paragraphs 26 to 28 and 32.
1976 c. 75.	The Development of Rural Wales Act 1976.	Sections 19 and 20. In section 22 the words “19 or” and “or for Part II of the Housing Finance Act 1972 (as extended to the Board by section 20 of this Act)”. In Schedule 5, Part III.
1976 c. 80.	The Rent (Agriculture) Act 1976.	Section 32. Schedule 7.
1977 c. 42.	The Rent Act 1977.	In Schedule 23, paragraphs 52 to 54, 56 and 57.
1978 c. 14.	The Housing (Financial Provisions) (Scotland) Act 1978.	Sections 12 and 13. In Schedule 2, paragraphs 8 to 10 and 34 to 36.
1980 c. 30.	The Social Security Act 1980.	In Schedule 1, in paragraph 1(1)(b) the words “benefit or” and “paragraph 11, or as the case may be,” and in paragraph 6 the words “of injury benefit and”.
1980 c. 39.	The Social Security (No. 2) Act 1980.	Section 3(2).
1980 c. 51.	The Housing Act 1980.	Sections 117 to 119. Schedule 15.
1980 c. 52.	The Tenants’ Rights, Etc. (Scotland) Act 1980.	Sections 78 and 79.
1980 c. 65.	The Local Government, Planning and Land Act 1980.	Section 45. In section 54(6), paragraph (c) and the words “and” immediately preceding that paragraph.

Status:

Point in time view as at 22/08/1996.

Changes to legislation:

There are currently no known outstanding effects for the Social Security and Housing Benefits Act 1982.