
STATUTORY RULES OF NORTHERN IRELAND

1999 No. 102 (C. 13)

SOCIAL SECURITY

**The Social Security (1998 Order) (Commencement
No. 4) Order (Northern Ireland) 1999**

Made - - - - *9th March 1999*

The Department of Health and Social Services, in exercise of the powers conferred on it by Article 1(2) of the Social Security (Northern Ireland) Order 1998⁽¹⁾ and of all other powers enabling it in that behalf, hereby makes the following Order:

Citation and interpretation

1.—(1) This Order may be cited as the Social Security (1998 Order) (Commencement No. 4) Order (Northern Ireland) 1999.

(2) In this Order “the Order” means the Social Security (Northern Ireland) Order 1998.

Appointed days

2. The day appointed for the coming into operation of—

- (a) the provisions of the Order specified in Part I of the Schedule for the purpose only of authorising the making of regulations, is 10th March 1999;
- (b) the provisions of the Order specified in Part II of the Schedule—
 - (i) for the purpose only of authorising the making of regulations or schemes, is 10th March 1999, and
 - (ii) for all other purposes, is 6th April 1999;
- (c) paragraph 81 of Schedule 6 to the Order (minor and consequential amendments) and Article 78(1) of the Order in so far as it relates to it, is 10th March 1999; and
- (d) the provisions of the Order specified in Part III of the Schedule is 6th April 1999.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Sealed with the Official Seal of the Department of Health and Social Services on

L.S.

9th March 1999.

John O'Neill
Assistant Secretary

SCHEDULE

Article 2(a), (b) and (d)

PART I

PROVISIONS COMING INTO OPERATION ON 10TH MARCH
1999 FOR THE PURPOSE ONLY OF MAKING REGULATIONS

<i>Provisions of the Order</i>	<i>Subject Matter</i>
Article 7(3)	Panel for appointment to appeal tribunals
Article 8(6)	Constitution of appeal tribunals
Article 10(1), (4) and (6)	Revision of decisions
Article 11(3) and (6)	Decisions superseding earlier decisions
Article 12(1)	Regulations with respect to decisions
Article 13(2), (3), (6) and (7)	Appeal to appeal tribunal
Article 15(3), (10) and (11)	Appeal from tribunal to Commissioner
Article 16(1) to (3) and (9)	Procedure
Article 17	Finality of decisions
Article 18(1)	Matters arising as respects decisions
Article 20	Medical examination required by appeal tribunal
Article 21	Suspension in prescribed circumstances
Article 22	Suspension for failure to furnish information, etc.
Article 23	Termination in cases of failure to furnish information
Article 24	Suspension and termination for failure to submit to medical examination
Article 25(3)(b) and (5)(c)	Decisions involving issues that arise on appeal in other cases
Article 26(6)(c)	Appeals involving issues that arise on appeal in other cases
Article 28	Correction of errors and setting aside of decisions
Article 31(2) and (3)	Incapacity for work
Article 38(1)(a) and (3)	Reviews of determinations
Article 41 in so far as it substitutes Article 19(3) and (5) of the Child Support Order	Decisions superseding earlier decisions
Article 42 in so far as it substitutes Article 22(4), (5) and (6) of the Child Support Order	Appeals to appeal tribunals

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<i>Provisions of the Order</i>	<i>Subject Matter</i>
Article 43 in so far as it inserts Articles 28ZA(2)(b) and (4)(c) and 28ZB(6)(c) into the Child Support Order	Decisions and appeals dependent on other cases
Article 44 in so far as it inserts Article 28ZD into the Child Support Order	Cases of error
Article 70	Provision of information
Schedule 1, paragraphs 7, 11 and 12 and Article 8(7) in so far as it relates to them	Appeal tribunals: supplementary provisions
Schedule 2, paragraph 9 and Article 13(1) in so as it relates to it	Decisions against which no appeal lies
Schedule 3, paragraphs 1, 4 and 9 and Article 13(1) in so far as it relates to them	Decisions against which an appeal lies
Schedule 4	Regulations as to procedure: provision which may be made
The following paragraphs of Schedule 6 and Article 78(1) in so far as it relates to them—	Minor and consequential amendments
paragraph 20(2)	Preliminary consideration of applications
paragraph 24	Departure directions: decisions and appeals
paragraph 25	Contribution to maintenance by deduction from benefit
paragraph 28(4)	Failure to comply with obligations imposed by Article 9
paragraph 29 in so far as it inserts Articles 43A(2) and 43B into the Child Support Order	Finality of decisions and matters arising as respects decisions
paragraph 31 in so far as it is not already in operation	Supplementary powers to make regulations
paragraph 35(3)	Proceedings before Child Support Commissioners
paragraph 36(5)	Interpretation
paragraph 37	Decisions and appeals: departure directions and reduced benefit directions, etc.
paragraph 99	Decisions and appeals
paragraph 120(1)	Review of certificates of recoverable benefits

PART II

PROVISIONS COMING INTO OPERATION ON 10TH MARCH
1999 FOR THE PURPOSE ONLY OF MAKING REGULATIONS OR
SCHEMES AND FOR ALL OTHER PURPOSES ON 6TH APRIL 1999

<i>Provisions of the Order</i>	<i>Subject Matter</i>
Article 51	Contributions paid in error
Article 53(2)	Contributions returns
Article 54	Collection of contributions by the Department
Article 56	Breach of regulations
Article 57 (except in so far as it relates to section 108A of the Social Security Administration (Northern Ireland) Act 1992(2))	Offences and penalties relating to contributions
Article 59	Recovery of contributions, etc.

PART III

PROVISIONS COMING INTO OPERATION ON 6TH APRIL 1999

<i>Provisions of the Order</i>	<i>Subject Matter</i>
Article 53(1)	Contributions returns
Article 58	Evidence of non-payment
Article 60	Liability of directors, etc. for company's contributions
The following paragraphs of Schedule 6 and Article 78(1) in so far as it relates to them—	Minor and consequential amendments
paragraph 66	Recovery of unpaid contributions on prosecution
paragraph 67(1), (2)(b), (3)(b) and (5)	Proof of previous offences
paragraph 68	Unpaid contributions — supplementary
paragraph 77(2)	Destination of contributions
paragraph 78(2)	General financial arrangements
The following repeals in Schedule 7 and Article 78(2) in so far as it relates to them— The Social Security Administration (Northern Ireland) Act 1992— in section 112(4), the words “for a particular contribution card or” and “the card in question or” section 113(2)	Repeals

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<i>Provisions of the Order</i>	<i>Subject Matter</i>
	in section 114, in subsection (1), the words “or (2)(a)” and, in subsection (5), paragraph (b) and the word “or” immediately preceding that paragraph in section 115, in subsections (1) and (2), the words “or (2)(a)”

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order provides for the coming into operation of provisions of the Social Security (Northern Ireland) Order 1998 as follows—

10th March 1999 for provisions relating to decision making and appeals for the purpose only of authorising the making of regulations and paragraph 81 of Schedule 6;

10th March 1999 for provisions relating to national insurance contributions for the purpose only of authorising the making of regulations or schemes and from 6th April 1999 for all other purposes; and

6th April 1999 for further provisions relating to national insurance contributions.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order.)

The following provisions of the Social Security (Northern Ireland) Order 1998 have been brought into operation by earlier commencement orders as from the dates shown.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. Number</i>
Article 4(1) and (2)(b) to (h)	9.9.98	1998 No. 312 (C. 15)
Article 16(4)(a) and (5)	9.9.98	1998 No. 312 (C. 15)
Article 16(4)(b)	6.4.99	1998 No. 312 (C. 15)
Article 40	16.11.98 and 7.12.98	1998 No. 395 (C. 19)
Article 45	9.9.98	1998 No. 312 (C. 15)
Article 46	9.9.98	1998 No. 312 (C. 15)
Article 47(1) (partially)	9.9.98	1998 No. 312 (C. 15)
Article 48	24.2.99 and 6.4.99	1999 No. 72 (C. 9)
Article 49	9.9.98	1998 No. 312 (C. 15)
Article 50	9.9.98 and 6.4.99	1998 No. 312 (C. 15)
Article 52	9.9.98	1998 No. 312 (C. 15)

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. Number</i>
Article 61	9.9.98 and 6.4.99	1998 No. 312 (C. 15)
Article 64	9.9.98	1998 No. 312 (C. 15)
Article 69	6.4.99	1998 No. 312 (C. 15)
Article 71	5.10.98	1998 No. 312 (C. 15)
Article 72	16.11.98	1998 No. 395 (C. 19)
Article 78(1) and Schedule 6 (partially)	9.9.98, 16.11.98 and 6.4.99	1998 No. 312 (C. 15) 1998 No. 395 (C. 19) 1999 No. 72 (C. 9)
Article 78(2) and Schedule 7 (partially)	9.9.98 and 6.4.99	1998 No. 312 (C. 15) 1999 No. 72 (C. 9)