

1990 No. 307 (C. 13)**SOCIAL SECURITY****The Social Security (1990 Order) (Commencement No. 1)
Order (Northern Ireland) 1990**

Made *15th August 1990*

The Department of Health and Social Services, in exercise of the powers conferred on it by Article 1(3) of the Social Security (Northern Ireland) Order 1990(a) and paragraph 2(1) of Schedule 1 to the Northern Ireland Act 1974(b) 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 (1990 Order) (Commencement No. 1) Order (Northern Ireland) 1990.

(2) In this order “the Order” means the Social Security (Northern Ireland) Order 1990, and any reference to a numbered Article or Schedule is to the Article of or, as the case may be, the Schedule to, the Order bearing that number.

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 is 16th August 1990;
- (b) Schedule 3 (the Pensions Ombudsman) and Article 14 in so far as it relates to it, for the purpose only of authorising the making of regulations under Article 69C(5) of the Pensions Order which are expressed to come into operation on or after 1st October 1990, is 16th August 1990;
- (c) paragraph 8 of Schedule 6 (maternity allowance: contribution conditions for women paid otherwise than weekly) and Article 22(1) (minor and consequential amendments) in so far as it relates to it, for the purpose only of making regulations which are expressed to come into operation on or after 28th October 1990, is 16th August 1990;
- (d) paragraph 14 of Schedule 6 (statutory maternity pay for service-women) and Article 22(1) in so far as it relates to it, where the expected week of confinement is the week commencing 21st October 1990 or a later week, is 16th August 1990;

(a) S.I. 1990/1511 (N.I. 15)

(b) 1974 c. 28

- (e) Article 13(3) to (6) (restriction on payments to employers out of pension scheme resources) and Article 13(1) for the purpose only of giving effect to Article 13(3), is 17th August 1990;
- (f) the provisions of the Order specified in Part II of the Schedule is 1st October 1990;
- (g) Schedule 3 (the Pensions Ombudsman) and Article 14, in so far as they are not already in operation, is 1st October 1990;
- (h) Article 10 (liability to maintain dependants) is 15th October 1990;
- (i) paragraph 8 of Schedule 6, in so far as it is not already in operation, and Article 22(1) in so far as it relates to it, is 28th October 1990.

Sealed with the Official Seal of the Department of Health and Social Services on 15th August 1990.

(L.S.)

A. N. Burns

Assistant Secretary

SCHEDULE

PART I

Provisions coming into operation on 16th August 1990

<i>Provisions of the Order</i>	<i>Subject Matter</i>
Article 15	Registration of occupational and personal pension schemes
Article 18(2), (3) and (8)	Removal of certain liabilities from the National Insurance Fund
The following paragraphs of Schedule 4 and Article 16(1) (miscellaneous amendments relating to pensions) in so far as it relates to them—	Levy towards meeting certain expenditure under the Pensions Order Revaluation: extension to widowers of certain provisions of the Pensions Order Special penalties in the case of certain returns Unauthorised disclosure of information relating to particular persons Repeals (the registrar of occupational pension schemes)
paragraph 11	
paragraph 13	
Schedule 5 and Article 19(5)	
Paragraph 17 of Schedule 6 and Article 22(1) in so far as it relates to it	Unauthorised disclosure of information relating to particular persons
The following repeals in Schedule 7, and Article 22(2) in so far as it relates to them—	Repeals
the provisions of the Social Security Pensions (Northern Ireland) Order 1975(a) specified below—	(the registrar of occupational pension schemes)
(a) Articles 58B to 58D	
(b) in Article 58E(1) sub-paragraph (c) and the word “and” immediately preceding it	
(c) Articles 58F to 58J	
(d) in Article 58K—	
(i) in paragraph (1), in sub-paragraph (a) the words “or (c)”, sub-paragraph (b) and the word “or” immediately preceding it	
(ii) in paragraph (5), sub-paragraph (b) and in sub-paragraph (c) the words “or the registrar”	
(iii) paragraph (7)	
(e) Article 58L	

(a) S.I. 1975/1503 (N.I. 15); Articles 58B to 58L were inserted by Schedule 2 to the Social Security (Northern Ireland) Order 1985 (S.I. 1985/1209 (N.I. 16))

PART II

Provisions coming into operation on 1st October 1990

<i>Provisions of the Order</i>	<i>Subject Matter</i>
Article 3	Attendance allowance for persons who are terminally ill
Article 5(1) to (5), (7) and (8)	Reduced earnings allowance and retirement allowance
The following repeals in Schedule 7, and Article 22(2) so far as it relates to them—	Repeals
(a) the provisions of section 59B of the Social Security (Northern Ireland) Act 1975(a) specified below—	(retirement allowance)
(i) in subsection (1) the words from “and may become” onwards	
(ii) in subsection (3) the words “Unless he returns to regular employment,”	
(iii) subsection (4)	
(iv) in subsection (7)(b) the words “, or returned to,”	
(v) in subsection (8) the words “, or as not having returned to,” the words “as having returned to, or” and the words “, or returned to,”	
(b) the Social Security (Northern Ireland) Order 1988(b), in Article 4, paragraphs (7) and (7A)	(retirement allowance)
(c) the Social Security (Northern Ireland) Order 1989(c), in Schedule 1, in paragraph 8, sub-paragraphs (3), (4) and (7)	(retirement allowance)

(a) 1975 c. 15; section 59B was inserted by Article 4(1) of the Social Security (Northern Ireland) Order 1988 (S.I. 1988/594 (N.I. 2))

(b) S.I. 1988/594 (N.I. 2)

(c) S.I. 1989/1342 (N.I. 13)

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 1990 on the following dates—

16th August 1990 for the provisions in—

Article 15 (and associated repeals in Schedule 7) relating to the registration of occupational and personal pension schemes,

Article 18(2), (3) and (8) relating to the removal of certain liabilities from the National Insurance Fund,

Schedule 3 relating to the Pensions Ombudsman for the purpose only of making regulations,

paragraph 11 of Schedule 4, relating to the levy towards meeting certain expenditure under the Social Security Pensions (Northern Ireland) Order 1975 (“the Pensions Order”),

paragraph 13 of Schedule 4, relating to the extension to widowers of certain provisions of the Pensions Order,

Schedule 5 relating to special penalties in the case of certain returns,

paragraph 8 of Schedule 6 relating to contribution conditions for maternity allowance for women paid otherwise than weekly, for the purpose only of making regulations,

paragraph 14 of Schedule 6, relating to statutory maternity pay for servicewomen where the expected week of confinement is the week commencing 21st October 1990 or a later week,

paragraph 17 of Schedule 6 relating to the unauthorised disclosure of information relating to particular persons;

17th August 1990 for the provisions in Article 13(3) to (6) relating to the restriction on payments to employers out of pension scheme resources, and Article 13(1) for the purpose only of giving effect to Article 13(3);

1st October 1990 for the provisions in—

Article 3 relating to attendance allowance for persons who are terminally ill,

Article 5(1) to (5), (7) and (8) (and associated repeals in Schedule 7) relating to reduced earnings allowance and retirement allowance,

Schedule 3 relating to the Pensions Ombudsman, to the extent that they are not already in operation;

15th October 1990 for the provisions in Article 10 relating to the liability to maintain dependants;

28th October 1990 for the provisions in paragraph 8 of Schedule 6 relating to contribution conditions for maternity allowance for women paid otherwise than weekly to the extent that they are not already in operation.