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STATUTORY RULES OF NORTHERN IRELAND

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**2000 No. 133 (C. 5)**

**PENSIONS; SOCIAL SECURITY; FAMILY LAW**

**The Welfare Reform and Pensions (1999 Order)  
(Commencement No. 3) Order (Northern Ireland) 2000**

*Made - - - - 17th April 2000*

The Department for Social Development, in exercise of the powers conferred by Article 1(2) of the Welfare Reform and Pensions (Northern Ireland) Order 1999<sup>(1)</sup>, and now vested in it<sup>(2)</sup>, 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 Welfare Reform and Pensions (1999 Order) (Commencement No. 3) Order (Northern Ireland) 2000.

(2) In this Order, “the Order” means the Welfare Reform and Pensions (Northern Ireland) Order 1999 and any reference to a numbered Article or Schedule is to the Article of, or Schedule to, the Order.

**Appointed days**

2.—(1) The day appointed for the coming into operation of paragraph 60 of Schedule 9 (deregulation and contracting out) is 18th April 2000.

(2) The day appointed for the coming into operation of Article 66 (child benefit: claimant to state national insurance number)—

- (a) for the purpose only of authorising the making of regulations, is 18th April 2000, and
- (b) for all other purposes, is 15th May 2000.

(3) The day appointed for the coming into operation of—

- (a) the provisions of the Order specified in Part I of the Schedule—
  - (i) for the purpose only of authorising the making of regulations, is 24th April 2000, and
  - (ii) for all other purposes, is 9th April 2001;
- (b) the provisions of the Order specified in Part II of the Schedule, in so far as not already in operation, is 25th April 2000;
- (c) the provisions of the Order specified in Part III of the Schedule, in so far as not already in operation, is 1st October 2000;

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(1) S.I.1999/3147 (N.I. 11)

(2) See Article 8(b) of S.R. 1999 No. 481

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*Status: This is the original version (as it was originally made). Northern  
Ireland Statutory Rules are not carried in their revised form on this site.*

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- (d) the provisions of the Order specified in Part IV of the Schedule, in so far as not already in operation, is 1st December 2000, and
- (e) the provisions of the Order specified in Part V of the Schedule, in so far as not already in operation, is 8th October 2001.

Sealed with the Official Seal of the Department for Social Development on 17th April 2000.

*John O'Neill*  
Senior Officer of the  
Department for Social Development

## SCHEDULE

Article 2(3)

## Part I

Provisions coming into operation on 24th April 2000 for the purpose only of authorising the making of regulations and 9th April 2001 for all other purposes

<i>Provisions of the Order</i>	<i>Subject Matter</i>
Article 51	bereavement payments
Article 52	new allowances for bereaved spouses
Article 53	entitlement to Category B retirement pension by reference to new allowances
Part I of Schedule 8, and Article 67 in so far as it relates to that Part	minor and consequential amendments— bereavement benefits
The following repeals in Part V of Schedule 10 and Article 76 in so far as it relates to them—	repeals— benefits: miscellaneous
the Social Security Contributions and Benefits (Northern Ireland) Act 1992(3), section 20(1)(e)(i)	description of contributory benefits— widow's payment
the Social Security (Northern Ireland) Order 1998(4), in Schedule 6, paragraph 59	late claims for widowhood benefit

## Part II

Provisions coming into operation on 25th April 2000

<i>Provisions of the Order</i>	<i>Subject Matter</i>
The following paragraphs of Schedule 2 and Article 17 in so far as it relates to them—	pensions: miscellaneous amendments—
paragraph 2	inclusion of self-employed in personal pension scheme
paragraph 3	reevaluation of earnings factors
paragraph 6	payment of contributions by the Department for Social Development
paragraphs 7 to 9	supervision by the Occupational Pensions Regulatory Authority
paragraph 10	institutions who may hold deposits
paragraph 11	annual increase in pension

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(3) 1992 c. 7

(4) S.I. 1998/1506 (N.I. 10)

(3) 1992 c. 7

(4) S.I. 1998/1506 (N.I. 10)

<i>Provisions of the Order</i>	<i>Subject Matter</i>
paragraph 13	improper treatment of excess assets
paragraph 14	rounding of pensionable service
paragraph 15	employment rights for directors of corporate trustees
The following repeals in Part I of Schedule 10 and Article 76 in so far as it relates to them—	repeals: pensions (miscellaneous)—
the entries relating to sections 69(2)(a)(ii), 92(2)(a) and 176(1) of the Pension Schemes (Northern Ireland) Act 1993 <sup>(5)</sup> ,	short service benefit, option to take cash equivalent; definitions
the entry relating to Article 8(4) of the Pensions (Northern Ireland) Order 1995 <sup>(6)</sup> ,	appointment of trustees

### Part III

#### Provisions coming into operation on 1st October 2000

<i>Provisions of the Order</i>	<i>Subject Matter</i>
Article 3	meaning of “stakeholder pension scheme”
Article 4	registration of stakeholder pension schemes
Article 9, except the definition of “designated scheme” in subsection (1)	interpretation and application of Part II
Schedule 1, except paragraph 1(3), and Article 8(3) except in so far as it relates to paragraph 1(3)	application of statutory provisions

### Part IV

#### Provisions coming into operation on 1st December 2000

<i>Provisions of the Order</i>	<i>Subject Matter</i>
Article 21	supply of pension information in connection with divorce etc.
Article 22	charges by pension arrangements in relation to earmarking orders
Article 23	interpretation of Part IV
Articles 24 to 43	sharing of rights under pension arrangements
Articles 44 to 48	sharing of state scheme rights

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<sup>(5)</sup> 1993 c. 49

<sup>(6)</sup> S.I. 1995/3213 (N.I. 22)

<sup>(5)</sup> 1993 c. 49

<sup>(6)</sup> S.I. 1995/3213 (N.I. 22)

<i>Provisions of the Order</i>	<i>Subject Matter</i>
Schedule 5	pension credits: mode of discharge
Schedule 6	effect of state scheme pension debits and credits
Schedule 8, paragraph 31 and Article 67 in so far as it relates to that paragraph	minor and consequential amendments— retirement pensions
The following paragraphs of Schedule 9 and Article 74(1) in so far as it relates to them— paragraphs 4 to 12	consequential amendments to— the Social Security Contributions and Benefits (Northern Ireland) Act 1992
paragraphs 13 to 16	the Social Security Administration (Northern Ireland) Act 1992(7)
paragraphs 17 to 31	the Pension Schemes (Northern Ireland) Act 1993
paragraphs 32 to 51	the Pensions (Northern Ireland) Order 1995
Schedule 10, Part III and Article 76 in so far as it relates to that Part	repeals

## Part V

### Provisions coming into operation on 8th October 2001

<i>Provisions of the Order</i>	<i>Subject Matter</i>
Article 5	duty of employer to facilitate access to stakeholder pension schemes
Article 6	obtaining information
Article 7	powers of inspection
Article 8(1), (2) and (4)	application of statutory provisions
Article 9(1) in so far as it is not already in operation	interpretation
Schedule 1, paragraph 1(3) and Article 8(3) in so far as it is not already in operation	application of Article 47(9) of the Pensions (Northern Ireland) Order 1995 (professional advisers)

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(7) 1992 c. 8

(7) 1992 c. 8

## EXPLANATORY NOTE

*(This note is not part of the Order.)*

This Order provides for the coming into operation of the following provisions of the Welfare Reform and Pensions (Northern Ireland) Order 1999 (“the Order”)—

paragraph 60 of Schedule 9 which amends the Deregulation and Contracting Out (Northern Ireland) Order 1996 on 18th April 2000 (Article 2(1)),

Article 66 (which provides for entitlement to child benefit to be conditional on the claimant’s stating, or providing information about, or applying for, his national insurance number) on 18th April 2000, for the purpose only of authorising the making of regulations, and on 15th May 2000 for all other purposes (Article 2(2)),

Articles 51 to 53 (which make provision in connection with bereavement benefits), and related provisions in Schedules 8 and 10, and Articles 67 and 76 in so far as they relate to them, on 24th April 2000, for the purpose only of authorising the making of regulations, and on 9th April 2001 for all other purposes (Part I of the Schedule),

certain provisions of Schedules 2 and 10 (which contain miscellaneous amendments of the law relating to pensions and repeals) in so far as those provisions are not already in operation, and Articles 17 and 76 in so far as they relate to them, on 25th April 2000 (Part II of the Schedule),

Part II and Schedule 1 (which introduces arrangements for stakeholder pension schemes), in so far as those provisions are not already in operation, on 1st October 2000 in part (Part III of the Schedule), and fully on 8th October 2001 (Part V of the Schedule),

Articles 21, 22, 23 (which make provision in connection with the treatment of pensions on divorce or on annulment of marriage) and Part V and Schedules 5 and 6 (which introduce arrangements for the sharing of pensions), in so far as those provisions are not already in operation, and related consequential amendments and repeals in Schedules 8, 9 and 10, and Articles 67, 74(1) and 76 in so far as they relate to them, on 1st December 2000 (Part IV of the Schedule).

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order.)*

The following provisions of the Welfare Reform and Pensions (Northern Ireland) Order 1999 have been brought into operation by—

the Welfare Reform and Pensions (1999 Order) (Commencement No. 1) Order (Northern Ireland) 1999 (S.R. [1999 No. 494](#) (C. 38)), and

the Welfare Reform and Pensions (1999 Order) (Commencement No. 2) Order (Northern Ireland) 2000 (S.R. [2000 No. 68](#) (C. 2)).

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. No.</i>
Article 11	3.04.00	<a href="#">2000 No. 68</a> (C. 2)
Article 50	12.01.00 and 2.04.00	<a href="#">1999 No. 494</a> (C. 38)
Article 58	3.04.00	<a href="#">1999 No. 494</a> (C. 38)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. No.</i>
Article 63	12.01.00	1999 No. 494 (C. 38)
Article 64(1) and (2)	12.01.00	1999 No. 494 (C. 38)
Article 67, Sch. 8 (partially)	16.12.99	1999 No. 494 (C. 38)
Sch. 8 (partially)	12.01.00 and 2.04.00	1999 No. 494 (C. 38)
Sch. 8 (partially)	3.04.00	1999 No. 494 (C. 38)
Article 76, Sch. 10 (partially)	2.04.00	1999 No. 494 (C. 38)