

2001 No. 141 (C. 8)

CHILD SUPPORT

PENSIONS

SOCIAL SECURITY

**The Child Support, Pensions and Social Security (2000 Act)
(Commencement No. 5) Order (Northern Ireland) 2001**

Made 30th March 2001

The Department for Social Development, in exercise of the powers conferred on it by section 68(2)(a) of the Child Support, Pensions and Social Security Act (Northern Ireland) 2000(a) 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 Child Support, Pensions and Social Security (2000 Act) (Commencement No. 5) Order (Northern Ireland) 2001.

(2) In this Order “the Act” means the Child Support, Pensions and Social Security Act (Northern Ireland) 2000.

Appointed days

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

- (a) the provisions of the Act specified in Part I of the Schedule, is 2nd April 2001;
- (b) except for the purposes specified in paragraph (2), the provisions of the Act specified in Part II of the Schedule, is 2nd July 2001; and
- (c) the provisions of the Act specified in Part III of the Schedule, is 2nd July 2001.

(2) The purposes referred to in paragraph (1)(b) are where, pursuant to a request for a further review of a determination under Article 34 of the Social Security (Northern Ireland) Order 1998(b) relating to housing benefit—

- (a) an oral hearing by a Review Board constituted under the Housing Benefit (General) Regulations (Northern Ireland) 1987(c) has been held and completed before 2nd July 2001, the purpose of enabling the Review Board on or after that date to record its decision, or to give or send its decision to persons likely to be affected by it; or

(a) 2000 c. 4 (N.I.)
(b) S.I. 1998/1506 (N.I. 10)
(c) S.R. 1987 No. 461

- (b) a decision on the further review has been given by such a Review Board, whether before, on or after that date—
 - (i) the purpose of enabling the Review Board to correct any accidental error in the record of its decision,
 - (ii) where proceedings are brought by way of judicial review in connection with that decision, the purpose of enabling the Review Board to participate in those proceedings or in any appeal arising out of those proceedings, or
 - (iii) the purpose of giving effect to the Review Board's decision.

Amendment of the Child Support, Pensions and Social Security (2000 Act) (Commencement No. 2) Order

3. In Article 2(e) of the Child Support, Pensions and Social Security (2000 Act) (Commencement No. 2) Order (Northern Ireland) 2000(a) subparagraph (ii) shall be omitted.

Sealed with the Official Seal of the Department for Social Development
on 30th March 2001.

(L.S.) *John O'Neill*
Senior Officer of the Department for Social Development

PART I

Provisions coming into operation on 2nd April 2001

<i>Provisions of the Act</i>	<i>Subject Matter</i>
Section 58 and Schedule 6 in so far as not already in operation	Social security investigation powers
Schedule 3, paragraph 32 and section 25 in so far as it relates to that paragraph	Compensation payments
Schedule 5, paragraph 9 and section 52 in so far as it relates to that paragraph	Conditions of payment of surplus to employer
The following repeals in Schedule 9 and section 67 in so far as it relates to them—	Repeals
in Part I—	Child Support
the Child Support (Northern Ireland) Order 1991(a)—	
in Article 17(10) the definition of “specified” and the preceding word “and”	
Article 37(1) and (2)	
the Child Support (Northern Ireland) Order 1995(b), Article 17	
the Social Security (Northern Ireland) Order 1998(c), in Schedule 6, paragraph 15	
the Social Security (1998 Order) (Commencement No. 2) Order (Northern Ireland) 1998(d), Article 3(3)	
Part V	Investigation powers

- (a) S.I. 1991/2628 (N.I. 23)
(b) S.I. 1995/2702 (N.I. 13)
(c) S.I. 1998/1506 (N.I. 10)
(d) S.R. 1998 No. 395 (C. 19)

PART II

Provisions coming into operation on 2nd July 2001 except for the purposes specified in Article 2(2)

<i>Provisions of the Act</i>	<i>Subject Matter</i>
Schedule 7, paragraph 22(2) and section 59 in so far as it relates to that sub-paragraph	Housing benefit: revisions and appeals
Part VI of Schedule 9 and section 67 in so far as it relates to that Part	Repeals

Part III

Provisions coming into operation on 2nd July 2001

<i>Provisions of the Act</i>	<i>Subject Matter</i>
Schedule 7, paragraphs 1 to 16, 18 (except sub-paragraph (2)(b)), 19 to 21, 22(1) and (3) and 23 in so far as not already in operation and section 59 in so far as it relates thereto	Housing benefit: revisions and appeals
Section 60 in so far as not already in operation	Discretionary financial assistance with housing

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order provides for the coming into operation of provisions of the Child Support, Pensions and Social Security Act (Northern Ireland) 2000 as follows—

2nd April 2001 for provisions relating to—

powers of investigation for social security purposes,
the payment to an employer of any surplus out of the funds of an occupational pension scheme, and

a number of miscellaneous and consequential repeals; and

2nd July 2001 for provisions relating to housing benefit revisions and appeals and discretionary financial assistance with housing.

Article 3 amends the Child Support, Pensions and Social Security (2000 Act) (Commencement No. 2) Order (Northern Ireland) 2000 to revoke the day previously appointed for the coming fully into operation of provision for an alternative to the anti-franking rules relating to salary related contracted-out pension schemes.

The impact on business of the commencement of provisions in the Child Support, Pensions and Social Security Act (Northern Ireland) 2000 is detailed in the Regulatory Impact Assessment relating to the Child Support, Pensions and Social Security Bill. A copy of that Assessment may be obtained, free of charge, from Social Security Policy and Legislation Division, Castle Buildings, Stormont, Belfast BT4 3SQ.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order.)

The following provisions of the Child Support, Pensions and Social Security Act (Northern Ireland) 2000 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>
Sections 1(3) and 3 to 6 (partially)	22.11.00	2000 No. 358 (C. 16)
Section 7 (partially)	22.11.00 and 1.1.01	2000 No. 358 (C. 16)
Sections 9 and 10 (partially)	22.11.00	2000 No. 358 (C. 16)
Section 11	15.2.01	2000 No. 406 (C. 21)
Sections 13 to 15	31.1.01	2000 No. 406 (C. 21)
Section 16 (partially)	22.11.00 2.4.01	2000 No. 358 (C. 16) 2000 No. 406 (C. 21)
Sections 17 to 20 (partially)	22.11.00	2000 No. 358 (C. 16)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. Number</i>
Section 21(1) and (2)	31.1.01	2000 No. 406 (C. 21)
Section 21(3) (partially)	22.11.00	2000 No. 358 (C. 16)
	31.1.01	2000 No. 406 (C. 21)
Section 24 (partially)	22.11.00	2000 No. 358 (C. 16)
Section 25 (partially)	22.11.00 and 1.1.01	2000 No. 358 (C. 16)
	31.1.01	2000 No. 406 (C. 21)
Section 26 (partially)	22.11.00 and 1.1.01	2000 No. 358 (C. 16)
Section 28 (partially)	22.11.00	2000 No. 358 (C. 16)
Sections 29 and 30	8.1.01	2000 No. 358 (C. 16)
	1.2.01 and 6.4.02	2001 No. 34 (C. 1)
Section 31	8.1.01	2000 No. 358 (C. 16)
	9.4.01	2001 No. 34 (C. 1)
Section 32	8.1.01	2000 No. 358 (C. 16)
	1.2.01	2001 No. 34 (C. 1)
Section 33	8.1.01	2000 No. 358 (C. 16)
	1.2.01 and 6.4.02	2001 No. 34 (C. 1)
Section 36	8.1.01	2000 No. 374 (C. 18)
Section 37	22.11.00	2000 No. 358 (C. 16)
Section 38	1.12.00 and 1.1.01	2000 No. 374 (C. 18)
Section 47	1.12.00	2000 No. 374 (C. 18)
Section 48 (partially)	1.1.01	2000 No. 374 (C. 18)
Section 49	1.12.00	2000 No. 374 (C. 18)
Section 52 (partially)	22.11.00	2000 No. 358 (C. 16)
	1.1.01, 12.2.01 and 1.6.01	2000 No. 374 (C. 18)
Sections 58 to 60 and 62 (partially)	22.11.00	2000 No. 358 (C. 16)
Sections 63 and 64	22.11.00	2000 No. 358 (C. 16)
Section 67 (partially)	22.11.00	2000 No. 358 (C. 16)
	1.12.00 and 1.1.01	2000 No. 374 (C. 18)
	9.4.01	2001 No. 34 (C. 1)
Schedules 1 and 2 (partially)	22.11.00	2000 No. 358 (C. 16)
Schedule 3 (partially)	22.11.00 and 1.1.01	2000 No. 358 (C. 16)
	31.1.01	2000 No. 406 (C. 21)
Schedule 4 (partially)	8.1.01	2000 No. 358 (C. 16)
	1.2.01 and 6.4.02	2001 No. 34 (C. 1)
Schedule 5 (partially)	22.11.00	2000 No. 358 (C. 16)
	1.1.01, 12.2.01 and 1.6.01	2000 No. 374 (C. 18)
	22.11.00	2000 No. 358 (C. 16)
Schedules 6 and 7 (partially)	22.11.00	2000 No. 358 (C. 16)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. Number</i>
Schedule 9 (partially)	22.11.00	2000 No. 358 (C. 16)
	1.12.00 and 1.1.01	2000 No. 374 (C. 18)
	9.4.01	2001 No. 34 (C. 1)

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