

Draft Order laid before Parliament under section 77(2) of the Deregulation and Contracting Out Act 1994(1) for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2000 No.

CONTRACTING OUT

**The Contracting Out (Functions
relating to Social Security) Order 2000**

Made - - - - 2000
Coming into force - - 3rd April 2000

Whereas a draft of this Order has been laid before, and approved by a resolution of, each House of Parliament pursuant to section 77(2) of the Deregulation and Contracting Out Act 1994;

Now, therefore, the Secretary of State for Social Security, in exercise of powers conferred by sections 69, 70(2) and (4) and 77(1) of the Deregulation and Contracting Out Act 1994, and of all other powers enabling him in that behalf, after consultation with such representatives of local authorities and, in Scotland, such association of local authorities, as he considers appropriate, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Contracting Out (Functions relating to Social Security) Order 2000 and shall come into force on 3rd April 2000.

(2) In this Order—

“the Administration Act” means the Social Security Administration Act 1992(2);

“work-focused interview” has the same meaning as in section 2C(5) of the Administration Act(3).

(1) 1994 c. 40.
(2) 1992 c. 5.
(3) S.I. 2000/

Powers of the Secretary of State

Contracting out of certain functions relating to work-focused interviews

2.—(1) Any function of the Secretary of State specified in paragraph (2) may to such extent as is specified, be exercised by, or by employees of, such person (if any) as may be authorised in that behalf by the Secretary of State.

(2) The functions are those relating to—

- (a) work-focused interviews conferred by regulations made under section 2A of the Administration Act⁽⁴⁾;
- (b) the review or supersession of decisions relating to work-focused interviews conferred by section 2B of the Administration Act⁽⁵⁾;
- (c) claims for housing benefit and council tax benefit conferred upon the Secretary of State by regulations under section 7A of the Administration Act⁽⁶⁾.

Powers of Local Authorities

Contracting out of certain local authority functions

3.—(1) Any function of a local authority specified in paragraph (2) may to the extent specified be exercised by, or by employees of, such person (if any) as may be authorised in that behalf by the authority whose function it is.

(2) The functions are those relating to—

- (a) work-focused interviews conferred by regulations made under section 2A of the Administration Act;
- (b) the review and supersession of decisions relating to work-focused interviews conferred by section 2B of the Administration Act;
- (c) work-focused interviews requested or consented to in accordance with regulations made under section 2C of the Administration Act⁽⁷⁾;
- (d) claims for benefits other than housing benefit and council tax benefit conferred upon a local authority by regulations under section 7A of the Administration Act.

Signed by authority of the Secretary of State for Social Security

2000

Parliamentary Under-Secretary of State,
Department of Social Security

(4) Section 2A was inserted by section 57 of the Welfare Reform and Pensions Act 1999 (c. 30).
(5) Section 2B was inserted by section 57 of the Welfare Reform and Pensions Act 1999.
(6) Section 7A was inserted by section 71 of the Welfare Reform and Pensions Act 1999.
(7) Section 2C was inserted by section 58 of the Welfare Reform and Pensions Act 1999.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision to enable both the Secretary of State and local authorities to authorise another person or that person's employees to exercise functions in relation to work-focused interviews. It also includes provisions enabling the Secretary of State to authorise others to exercise certain functions in relation to claims for housing benefit and council tax benefit and local authorities to authorise others to exercise certain functions in connection with claims for other benefits.