
STATUTORY INSTRUMENTS

1999 No. 2860

**The Social Security Act 1998 (Commencement
No. 11, and Savings and Consequential
and Transitional Provisions) Order 1999**

Citation and interpretation

1.—(1) This Order may be cited as the Social Security Act 1998 (Commencement No. 11, and Savings and Consequential and Transitional Provisions) Order 1999.

(2) In this Order, unless the context otherwise requires—

- (a) “the Act” means the Social Security Act 1998;
- (b) “the Regulations” means the Social Security and Child Support (Decisions and Appeals) Regulations 1999 ^{M1};
- (c) “relevant benefit” means any of the benefits to which article 2(c)(i) and (ii) of this Order refers,

[^{F1}(d) “relevant benefit” also means—

- (i) an attendance allowance under section 35 of the Social Security Act 1975;
- (ii) a mobility allowance under section 37A of that Act;
- (iii) supplementary benefit under section 1 of the Supplementary Benefit Act 1976.]

and references to sections and Schedules are references to sections of, and Schedules to, the Act.

F1 [Art. 1\(2\)\(d\)](#) added (16.10.2006) by [The Social Security Act 1998 \(Commencement Nos. 9 and 11\) \(Amendment\) Order 2006 \(S.I. 2006/2540\)](#), arts. 1(2), 3(2)

Marginal Citations

M1 [S.I. 1999/991](#), to which there are amendments not relevant to this Order.

Appointed Day

2. 18th October 1999 is the day appointed for the coming into force of—

- (a) sections 18(2), 32 and 34;
- (b) section 39(3) in so far as it provides that section 63 of the Administration Act shall cease to have effect, and section 86(2) and Schedule 8 in so far as they repeal that section 63; and
- (c) the provisions specified in Schedule 1 to this Order, in so far as those provisions are not already in force, for the purposes of—
 - (i) attendance allowance, disability living allowance and invalid care allowance under Part III of the Contributions and Benefits Act;
 - (ii) jobseeker’s allowance under Part I of the Jobseekers Act and any sum payable under section 26 of that Act;
 - (iii) vaccine damage payments under the Vaccine Damage Payments Act;

- (iv) decisions whether a person is entitled to be credited with earnings or contributions in accordance with regulations made under section 22(5) of the Contributions and Benefits Act; and
- (v) decisions whether a person was, within the meaning of regulations, precluded from regular employment by responsibilities at home.

Consequential amendments and modifications

3.—(1) [^{F2}Subject to paragraph (15)] the amendments and modifications made by the following paragraphs of this article shall take effect as from 18th October 1999.

(2) [^{F3}The Social Security Benefit (Dependency) Regulations 1977 ^{M2} shall as they relate to relevant benefit be modified in accordance with Schedule 2 to this Order.]

(3) [^{F3}The Social Security (Claims and Payments) Regulations 1987 ^{M3} shall as they relate to relevant benefit be modified in accordance with Schedule 3 to this Order.]

(4) [^{F3}The Social Security (Payments on Account, Overpayments and Recovery) Regulations 1988 ^{M4} shall as they relate to relevant benefit be modified in accordance with Schedule 4 to this Order.]

(5) [^{F3}The Community Charges (Deductions from Income Support) (Scotland) Regulations 1989 ^{M5} shall as they relate to jobseeker's allowance be modified in accordance with Schedule 5 to this Order.]

(6) [^{F3}The Community Charges (Deduction from Income Support) (No. 2) Regulations 1990 ^{M6} shall as they relate to jobseeker's allowance be modified in accordance with Schedule 6 to this Order.]

(7) The Social Security (Disability Living Allowance) Regulations 1991 ^{M7} shall be amended in accordance with Schedule 7 to this Order.

(8) The Social Security (Attendance Allowance) Regulations 1991 ^{M8} shall be amended in accordance with Schedule 8 to this Order.

(9) [^{F4}The Fines (Deductions from Income Support) Regulations 1992 ^{M9} shall as they relate to jobseeker's allowance be modified in accordance with Schedule 9 to this Order.]

(10) [^{F4}The Council Tax (Deductions from Income Support) Regulations 1993 ^{M10} shall as they relate to jobseeker's allowance be modified in accordance with Schedule 10 to this Order.]

(11) The Social Security (Incapacity for Work) (General) Regulations 1995 ^{M11} shall be amended in accordance with Schedule 11 to this Order.

(12) The Jobseeker's Allowance Regulations 1996 ^{M12} shall be amended in accordance with Schedule 12 to this Order.

(13) [^{F5}The Employment Protection (Recoupment of Jobseeker's Allowance and Income Support) Regulations 1996 ^{M13} shall as they relate to jobseeker's allowance be modified in accordance with Schedule 13 to this Order.]

(14) [^{F5}The Social Security (Back to Work Bonus) (No. 2) Regulations 1996 ^{M14} shall be modified in accordance with Schedule 14 to this Order in relation to any sum to which a person may be entitled under section 26 of the Jobseekers Act by virtue of his having been in receipt of a jobseeker's allowance.]

(15) [^{F5}The Social Security Benefit (Computation of Earnings) Regulations 1996 ^{M15} shall as they relate to relevant benefit be modified in accordance with Schedule 15 to this Order.]

[^{F6}(16) The amendment in paragraph (17) shall take effect from 16th October 2006.]

(17) In regulation 14(1) of the Social Security (Introduction of Disability Living Allowance) Regulations 1991 (reviews) after “appellate authorities)” insert “and sections 9 and 10 of the Social Security Act 1998 (revision and supersession of decisions)”.]

- F2** Words in art. 3(1) inserted (16.10.2006) by The Social Security Act 1998 (Commencement Nos. 9 and 11) (Amendment) Order 2006 (S.I. 2006/2540), arts. 1(2), **3(3)(a)**
- F3** Art. 3(2)-(6) revoked (29.11.1999) by The Social Security Act 1998 (Commencement No. 12 and Consequential and Transitional Provisions) Order 1999 (S.I. 1999/3178), reg. 3(1)(a), **Sch. 20 para. 1(c)** (with reg. 3(1)(b), Schs. 21-23)
- F4** Art. 3(9)(10) revoked (29.11.1999) by The Social Security Act 1998 (Commencement No. 12 and Consequential and Transitional Provisions) Order 1999 (S.I. 1999/3178), reg. 3(1)(a), **Sch. 20 para. 1(c)** (with reg. 3(1)(b), Schs. 21-23)
- F5** Art. 3(13)-(15) revoked (29.11.1999) by The Social Security Act 1998 (Commencement No. 12 and Consequential and Transitional Provisions) Order 1999 (S.I. 1999/3178), reg. 3(1)(a), **Sch. 20 para. 1(c)** (with reg. 3(1)(b), Schs. 21-23)
- F6** Art. 3(16)(17) inserted (16.10.2006) by The Social Security Act 1998 (Commencement Nos. 9 and 11) (Amendment) Order 2006 (S.I. 2006/2540), arts. 1(2), **3(3)(b)**

Modifications etc. (not altering text)

- C1** Art. 3(3)(4) modified (7.4.2003 for specified purposes) by The Child Benefit and Guardian’s Allowance (Administration) Regulations 2003 (S.I. 2003/492), regs. 1, 43, **Sch. 3 Pt. 1** (with regs. 1(2), 44)

Marginal Citations

- M2** S.I. 1977/343; amendment was made by the Health and Social Services and Social Security Adjudications Act 1983 (c.41), **Schedule 8**, paragraph 1(3)(a).
- M3** S.I. 1987/1968; the relevant amending instruments are S.I. 1988/522, 1989/136, 1989/1686, 1991/2284, 1992/247, 1992/1026, 1992/2741, 1992/2595, 1992/3147, 1993/478, 1993/2113, 1994/2319, 1995/1613, 1996/481, 1996/1460, 1996/2306, 1996/2344, 1998/1174 and 1998/1381.
- M4** S.I. 1988/664; the relevant amending instruments are S.I. 1991/2742, 1996/30 and 1996/1345.
- M5** S.I. 1989/507; the relevant amending instruments are S.I. 1990/113, 1992/1026 and 1996/2344.
- M6** S.I. 1990/545; the relevant amending instruments are S.I. 1992/1026, 1993/2113 and 1996/2344.
- M7** S.I. 1991/2890; the relevant amending instruments are S.I. 1993/1939, 1994/1779 and 1997/1839.
- M8** S.I. 1992/2740; the relevant amending instrument is S.I. 1994/1779.
- M9** S.I. 1992/2182; the relevant amending instruments are S.I. 1996/2344 and 1997/827.
- M10** S.I. 1993/494; the relevant amending instruments are S.I. 1996/2344 and 1997/827.
- M11** S.I. 1995/311, to which there are amendments not relevant to this Order.
- M12** S.I. 1996/207; the relevant amending instruments are S.I. 1996/1516, 1997/65, 1997/1827, 1997/2863 and 1999/264.
- M13** S.I. 1996/2349.
- M14** S.I. 1996/2570; the relevant amending instrument is S.I. 1997/454.
- M15** S.I. 1996/2745.

Transitional provisions

4. Schedules 16 to 18 to this Order shall have effect as from 18th October 1999 in relation to relevant benefit, vaccine damage payments, and credits of contributions or earnings and home responsibilities protection respectively.

Savings

5. Notwithstanding the coming into force of section 39(3) (Part II of the Administration Act to cease to have effect)^{F7}, section 86(2) and Schedule 8 (repeals)] or regulation 59 (revocations) of the Regulations—

- (a) sections 18 and 19 of the Administration Act (appeals on questions of law, and review of decisions);
- (b) sections 59 to 61 of, and Schedule 3 to, that Act (regulations about procedural and supplementary matters) as they relate to regulations made in relation to those sections; and
- (c) any regulations made under or in connection with the operation of any of those sections or that Schedule,

shall continue to have effect with respect to any decision given before 18th October 1999 by the Secretary of State under section 17 of that Act (questions for the Secretary of State).

F7 Words in art. 5 inserted (29.11.1999) by The Social Security Act 1998 (Commencement No. 12 and Consequential and Transitional Provisions) Order 1999 (S.I. 1999/3178), reg. 3(1)(a), **Sch. 20 para. 2(c)** (with reg. 3(1)(b), Schs. 21-23)

Signed by authority of the Secretary of State for Social Security.

P. Hollis
Parliamentary Under-Secretary of State,
Department of Social Security

Changes to legislation:

There are currently no known outstanding effects for the The Social Security Act 1998 (Commencement No. 11, and Savings and Consequential and Transitional Provisions) Order 1999.