
Status: Point in time view as at 01/01/2014.

Changes to legislation: The Relevant Functions (Payments to Authorities) Order 2000 is up to date with all changes known to be in force on or before 24 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

STATUTORY INSTRUMENTS

2000 No. 848

SOCIAL SECURITY

The Relevant Functions (Payments to Authorities) Order 2000

<i>Made</i>	- - - -	<i>23rd March 2000</i>
<i>Laid before Parliament</i>		<i>24th March 2000</i>
<i>Coming into force</i>	- -	<i>14th April 2000</i>

The Secretary of State for Social Security, with the consent of the Treasury^{M1}, in exercise of the powers conferred upon him by sections 140B(1), 140C(1) and (4), and 189(1) and (4) to (7) of the Social Security Administration Act 1992^{M2} and of all other powers enabling him in that behalf after consultation, in accordance with section 176(1)(b) of the Social Security Administration Act 1992, with organisations appearing to him to be representative of the authorities concerned hereby makes the following Order:

Marginal Citations

- M1** See section 189(8) of the [Social Security Administration Act 1992 \(c. 5\)](#); amended by paragraph 3(5) of Schedule 13 to the [Housing Act 1996 \(c. 52\)](#), **paragraph 10** of Schedule 3 to the [Social Security \(Recovery of Benefits\) Act 1997 \(c. 27\)](#) and paragraph 57(3) of Schedule 3 to the [Social Security \(Transfer of Functions etc.\) Act 1999 \(c. 2\)](#).
- M2** [1992 c. 5](#); sections 140B and 140C were inserted by the [Housing Act 1996](#), Schedule 12 paragraph 4 and section 140B(1) was amended by paragraph 7 of Schedule 1 to the [Social Security Administration \(Fraud\) Act 1997 \(c. 47\)](#). The sections are applied to the payments to which this Instrument relates by virtue of section 140EE of the Social Security Administration Act 1992 as inserted by the [Welfare Reform and Pensions Act 1999 \(c. 30\)](#), **Schedule 12**, paragraph 80.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Relevant Functions (Payments to Authorities) Order 2000 and shall come into force on 14th April 2000.

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

“claim” means a claim by a local authority for a relevant sum;

“form” means a printed document or any other format, as the Secretary of State determines, upon which a claim may be set out;

^{F1} ...

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“relevant function” has the same meaning as in section 140EE(1) of the Social Security Administration Act 1992;

“relevant sum” means any sum payable to a local authority by the Secretary of State in accordance with section 140EE(1);

“relevant year” means any year commencing on or after 1st April 2000.

[^{F2}1A.—(1) Articles 2, 3 and 4 of this Order shall apply in the case of a local authority named in Part I of the Schedule to this Order.

(2) Articles 5, 6 and 7 of this Order shall apply in the case of a local authority named in Part II of the Schedule to this Order.]

Textual Amendments

F1 Words in art 1(2) omitted (3.8.00) by S.I. 2000/1810, art. 2(2), art. 1

F2 Art. 1A inserted (3.8.00) by S.I. 2000/1810, reg. 1, 2(3)

Claims procedure

2.—(1) A claim made under this Order shall be submitted in such manner and on such form as may be approved or supplied by the Secretary of State and shall comply with the conditions specified in this article.

(2) A claim (as described in paragraph (3)) shall be made by 15th April 2000 and thereafter quarterly by the 15th day of each July, October, January and April of a relevant year.

(3) A claim shall be in respect of expenses incurred by a local authority in connection with the carrying out of any relevant function—

- (a) in the case of the claim made by 15th April 2000, in the period beginning on 29th November 1999 and ending on 31st March 2000; and
- (b) in any other case, in the three months immediately preceding the month by which the claim is due.

(4) A claim shall be subject to such audit processes as the Secretary of State considers appropriate in the circumstances to satisfy himself that it has been properly made and properly and accurately calculated and he shall notify local authorities accordingly.

Records in support of claim

3.—(1) A local authority making a claim shall—

- (a) provide to the Secretary of State the information referred to in paragraph (2); and
- (b) keep, and where the Secretary of State requires it or it is otherwise appropriate to do so, produce records with a bearing on that claim.

(2) The information referred to in this paragraph is such information as the Secretary of State requires, or as may otherwise be necessary, to satisfy him that—

- (a) each expense included in the claim has been incurred by the local authority in connection with the carrying out of a relevant function;
- (b) the claim is accurate and properly calculated; and
- (c) any claim made has been properly made in accordance with the provisions of this Order, and, in addition, other information relevant to determining the relevant sum in accordance with article 4.

Determining relevant sum

4. The amount of a relevant sum payable to a local authority shall be determined by the Secretary of State having regard to whether the expenses claimed such as officers' remuneration, travel and subsistence expenses and other expenses have been necessarily incurred by the local authority in connection with carrying out a relevant function and are directly related to that function.

[^{F3}Determining relevant sum in relation to authorities named in Part II of the Schedule to this Order

5. The amount of a relevant sum payable to a local authority for the year commencing on 1st April 2000 and for subsequent years shall be determined by the Secretary of State having regard to whether the expenses have been necessarily incurred in connection with carrying out a relevant function and are directly related to that function.

Textual Amendments

F3 Regs. 567 inserted (3.8.00) by S.I 2000/1810, art.1, 2(4)

Records relating to a relevant sum determined in accordance with article 5

6. The Secretary of State may require a local authority to supply such information or records as he considers necessary to satisfy him that the expenses referred to in article 5—

- (a) are accurate and properly calculated;
- (b) have been necessarily incurred in connection with the carrying out of a relevant function; and
- (c) are directly related to that function.

Textual Amendments

F3 Regs. 567 inserted (3.8.00) by S.I 2000/1810, art.1, 2(4)

Manner of payment of a relevant sum determined in accordance with article 5

7. A payment of a relevant sum determined in accordance with article 5 may, at the request of the local authority, be made by the Secretary of State to a person specified in subsection (1)(b) or (c) of section 140EE of the Social Security Administration Act 1992.]

Textual Amendments

F3 Regs. 567 inserted (3.8.00) by S.I 2000/1810, art.1, 2(4)

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

22nd March 2000

Angela Eagle
Parliamentary Under-Secretary of State,
Department of Social Security

We consent,

23rd March 2000

Clive J. C. Betts
Jim Dowd
Two of the Lords Commissioners of Her
Majesty's Treasury

SCHEDULE

Article 1

[^{F4}Part I]

[^{F5}LOCAL AUTHORITIES TO WHICH ARTICLES 2, 3 AND 4 APPLY]

Textual Amendments

- F4** Words in heading substituted in schedule 1 (3.8.00) by S.I. 2000/1810, art. 1, 2(5)(a)
- F5** Heading for Part I inserted (3.8.00) by S.I. 2000/1810, art. 1, 2(5)(b)

ENGLAND:

Aylesbury Vale

Barking and Dagenham

Calderdale

Castle Point

Chelmsford

Chiltern

Epping Forest

Kirklees

Maldon

Mendip

Milton Keynes

North Warwickshire

Nuneaton and Bedworth

Redbridge

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Rochford

Rugby

Sedgemoor

South Bucks

Southend-on-Sea

South Somerset

Stratford-on-Avon

Taunton Deane

Waltham Forest

Warwick

West Somerset

Wycombe

WALES:

Monmouthshire

Newport

Torfaen

SCOTLAND:

Argyll and Bute

East Renfrewshire

Inverclyde

North Ayrshire

Renfrewshire

Part II

LOCAL AUTHORITIES TO WHICH ARTICLES 5, 6 AND 7 APPLY

Amber Valley

Ashfield

Babergh

Bassetlaw

Forest Heath

Halton

Ipswich

Leeds

Mansfield

Mid-Suffolk

Newark and Sherwood

St. Edmundsbury

St. Helens

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Suffolk Coastal

Vale Royal

Warrington

Waveney

EXPLANATORY NOTE

(This note is not part of the Order)

This Order sets out the process by which the Secretary of State will make payments to local authorities in respect of expenses incurred in connection with the carrying out of any "relevant function" as defined in section 140EE of the Social Security Administration Act 1992. Relevant functions are processing claims as permitted by the Social Security (Claims and Information) Regulations 1999 (S.I. 1999/3108) and conducting work-focused interviews.

Article 1 states the commencement date and defines various terms.

Article 2 provides that a local authority that is carrying out relevant functions may make a claim to the Secretary of State for payment. Claims can be made quarterly. Expenses incurred in the three calendar months prior to the quarterly claim date must be claimed by that claim date to be eligible for payment.

Article 2 also makes special arrangements for the first claim. That claim must be made by 15th April 2000 and should include all expenses incurred between 29th November 1999 and 31st March 2000.

Article 3 requires local authorities to keep records in support of claims.

Article 4 describes the matters to which the Secretary of State must have regard in determining the relevant sum payable to a local authority in accordance with the Order.

This Order does not impose a charge on business.

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