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STATUTORY INSTRUMENTS

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**2001 No. 933 (C. 34)**

**PENSIONS  
SOCIAL SECURITY**

**The Welfare Reform and Pensions Act 1999 (Commencement  
No.10, and Transitional Provisions) Order 2001**

*Made - - - - 13th March 2001*

The Secretary of State for Social Security, in exercise of powers conferred by sections 83(6)(a) and 89(1) and (6) of the Welfare Reform and Pensions Act 1999<sup>(1)</sup> and of all other powers enabling him in that behalf, hereby makes the following Order:

**Citation and interpretation**

1.—(1) This Order may be cited as the Welfare Reform and Pensions Act 1999 (Commencement No.10, and Transitional Provisions) Order 2001.

(2) In this Order, unless the context otherwise requires, references to numbered sections and numbered Schedules are references to the sections and Schedules bearing those numbers in the Welfare Reform and Pensions Act 1999.

**Amendment of the Welfare Reform and Pensions Act 1999 (Commencement No. 4) Order 2000**

2. In Part V of the Schedule to the Welfare Reform and Pensions Act 1999 (Commencement No. 4) Order 2000<sup>(2)</sup>, in each column omit the entry in respect of section 3 (duty of employers to facilitate access to stakeholder pension schemes).

**Amendment of the Welfare Reform and Pensions Act 1999 (Commencement No. 9, and Transitional and Savings Provisions) Order 2000**

3. In article 3(2) of the Welfare Reform and Pensions Act 1999 (Commencement No. 9, and Transitional and Savings Provisions) Order 2000<sup>(3)</sup> (transitional provision in relation to incapacity benefit), for “sections 30A to 30E” where those words first occur, substitute “section 30A, 40 or 41”.

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(1) 1999 c. 30.

(2) S.I. 2000/1047 (C. 29).

(3) S.I. 2000/2958 (C.89).

**Provisions coming into force on 19th March 2001**

4. 19th March 2001 is the day appointed for the coming into force of—
- (a) Schedule 8, paragraph 28 (income support: amendment of section 124(1)(f) of the Social Security Contributions and Benefits Act 1992<sup>(4)</sup>) and, so far as relating to that paragraph, section 70; and
  - (b) Schedule 13, Part I so far as relating to the entry in that Part in respect of paragraph 80(f) of Schedule 5 to the Pensions Act 1995<sup>(5)</sup> (repeal consequential on amendment of section 185 of the Pension Schemes Act 1993<sup>(6)</sup> by Schedule 11, paragraph 23) and, so far as relating thereto, section 88.

**Provisions coming into force on 6th April 2001**

5. 6th April 2001 is the day appointed for the coming into force, so far as not already in force—
- (a) of—
    - (i) the second paragraph of section 3(2);
    - (ii) section 3(6);and section 3(7) so far as relating thereto;
  - (b) of section 3(8);
  - (c) of section 3(9) so far as relating to the definitions in it of “employer” and of “relevant employees”;
- and of section 3(1) so far as relating thereto.

**Provision coming into force on 8th October 2001**

6. 8th October 2001 is the day appointed for the coming into force of section 3 so far as not already in force.

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

13th March 2001

*Jeff Rooker,*  
Minister of State,  
Department of Social Security

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(4) 1992 c. 4.  
(5) 1995 c. 26.  
(6) 1993 c. 48.

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## EXPLANATORY NOTE

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

This Order brings into force further provisions of the Welfare Reform and Pensions Act 1999 as follows.

The commencement of parts of section 3, which relates to stakeholder pension schemes, is brought forward to 6th April 2001 (from 8th October 2001). The requirement that an employer consult prior to designating a scheme under section 3(2) is brought forward to allow valid designation of a scheme by an employer prior to 8th October 2001 for the purposes of his duty under section 3(2). The commencement of related provisions is also brought forward to 6th April 2001. (articles 2, 5 and 6)

The Welfare Reform and Pensions Act 1999 (Commencement No. 9, and Transitional and Savings Provisions) Order 2000 (“the no. 9 Order”) is amended to clarify a transitional provision in relation to incapacity benefit. The amendment will take effect prior to the date (6th April 2001) in relation to which the transitional provision will operate. (article 3)

Two consequential provisions are commenced, an income support provision (article 4(a)) and a pensions provision (article 4(b)). The income support provision is commenced from the same date, 19th March 2001, as the provisions on which it is consequential (section 59 and Schedule 7 (joint claims for jobseeker’s allowance) commenced so far as not already in force by the no. 9 Order). The provision on which the pensions provision is consequential (Schedule 11, paragraph 23) is already in force.

The impact on business of the commencement of provisions in the Welfare Reform and Pensions Act 1999 is detailed in the Regulatory Impact Assessment relating to the Welfare Reform and Pensions Bill (which was introduced in the House of Commons on 10th February 1999). A copy of that Assessment has been placed in the libraries of both Houses of Parliament. A copy of it can also be obtained from the Department of Social Security, Regulatory Impact Unit, 3rd Floor, the Adelphi, 1–11 John Adam Street, London WC2N 6HT.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

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

The following provisions have been brought into force by:—

- the Welfare Reform and Pensions Act 1999 (Commencement No. 1) Order 1999 ([S.I. 1999/3309](#)) (C. 88),
- the Welfare Reform and Pensions Act 1999 (Commencement No. 2) Order 1999 ([S.I. 1999/3420](#)) (C. 92),
- the Welfare Reform and Pensions Act 1999 (Commencement No. 3) Order 2000 ([S.I. 2000/629](#)) (C. 13),
- the Welfare Reform and Pensions Act 1999 (Commencement No. 4) Order 2000 ([S.I. 2000/1047](#)) (C. 29),
- the Welfare Reform and Pensions Act 1999 (Commencement No. 5) Order 2000 ([S.I. 2000/1116](#)) (C. 35),
- the Welfare Reform and Pensions Act 1999 (Scotland) (Commencement No. 6) Order 2000 ([S.S.I. 2000/111](#)) (C. 4),

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- the Welfare Reform and Pensions Act 1999 (Commencement No. 7) Order 2000 ([S.I. 2000/1382](#)) (c. 41),
- the Welfare Reform and Pensions Act 1999 (Scotland) (Commencement No. 8) Order 2000 ([S.S.I. 2000/238](#)) (C. 7), and
- the Welfare Reform and Pensions Act 1999 (Commencement No. 9, and Transitional and Savings Provisions) Order 2000 ([S.I. 2000/2958](#)) (C.89).

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1	1st October 2000	<a href="#">2000/1047</a>
Section 2	1st October 2000	<a href="#">2000/1047</a>
Sections 3(7) to 5	8th October 2001	<a href="#">2000/1047</a>
Section 6(1), (2) and (4)	8th October 2001	<a href="#">2000/1047</a>
Schedule 1, except paragraph 1(3), and section 6(3) except so far as it relates to that paragraph 1(3)	1st October 2000	<a href="#">2000/1047</a>
Schedule 1 paragraph 1(3), and section 6(3) so far as it relates to that paragraph 1(3)	8th October 2001	<a href="#">2000/1047</a>
Section 7	1st October 2000	<a href="#">2000/1047</a>
Section 8, except the definition of “designated scheme”	1st October 2000	<a href="#">2000/1047</a>
Section 8(1) so far as it relates to the definition of “designated scheme”	8th October 2001	<a href="#">2000/1047</a>
Section 9	6th April 2001	<a href="#">2000/2958</a>
Section 10	3rd April 2000	<a href="#">2000/629</a>
Section 11(1), (2), (3) and (11)	29th May 2000	<a href="#">2000/1382</a>
Section 11(12)	1st December 2000	<a href="#">2000/1382</a>
Section 13(1) and (2)	29th May 2000	<a href="#">2000/1382</a>
Schedule 2 in the following respects and section 18 so far as it relates to them:—		
paragraphs 3 and 4, 8 to 13 and 15 to 19	25th April 2000	<a href="#">2000/1047</a>
paragraphs 1 and 2	29th May 2000	<a href="#">2000/1382</a>
Sections 19, 21 and 22 and Schedules 3 and 4	1st December 2000	<a href="#">2000/1116</a>
Section 20	1st December 2000	<a href="#">2000/1047</a>
Sections 23 and 24	1st December 2000	<a href="#">2000/1047</a>

(7) But commencement of section 3 is now partially brought forward by this Order.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Sections 26 to 51 and Schedules 5 and 6	1st December 2000	2000/1047
Section 53	12th January 2000 and 2nd April 2000	1999/3309
Sections 54 to 56	24th April 2000 and 9th April 2001	2000/1047
Section 59 and Schedule 7	19th March 2001	2000/2958
Section 61	3rd April 2000	1999/3309
Sections 62 to 65	3rd November 2000 and 6th April 2001	2000/2958
Section 66	12th January 2000	1999/3309
Section 67(1) and (2)	12th January 2000	1999/3309
Section 67(3) and (4)	9th April 2001	2000/1382
Schedule 8 in the following respects, and section 70 so far as it relates to them:—		
Part I	24th April 2000 and 9th April 2001	2000/1047
paragraphs 20 and 25	3rd November 2000	2000/2958
paragraphs 21, 22 and 26	3rd November 2000 and 6th April 2001	2000/2958
paragraph 23(1), (2) and (4)	13th December 1999	1999/3309
paragraph 23(3)	3rd April 2000	1999/3309
paragraph 24	3rd April 2000	1999/3309
paragraph 27	6th April 2001	2000/2958
paragraphs 30 to 32 (partially)	12th January 2000 and 2nd April 2000	1999/3309
paragraph 33	1st December 2000	2000/1047
Section 73 and Schedule 9	22nd December 1999 and 6th April 2000	1999/3420
Section 74 and Schedule 10	22nd December 1999 and 6th April 2000	1999/3420
Sections 75 and 76	22nd December 1999	1999/3420
Sections 77 and 78	6th April 2000	1999/3420
Schedule 12 in the following respects, and section 84(1) so far as it relates to them:—		
paragraphs 1 to 4	1st December 2000	2000/1116

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
paragraphs 5 to 7, and 8(1), (2), (5) and (6)	1st December 2000	2000/1047
paragraph 8(3) and (4)	15th April 2000	S.S.I. 2000/111
paragraphs 9, 10, 11, 12 and 14 to 63	1st December 2000	2000/1047, S.S.I. 2000/238
paragraphs 64 to 66	1st December 2000	2000/1116
paragraph 73	25th April 2000	2000/1047
paragraph 74	6th April 2000	1999/3420
paragraph 75	25th April 2000	2000/1047
paragraphs 76 to 78	6th April 2000	1999/3420
paragraphs 84 to 86	6th April 2000	1999/3420
Section 85(3) and (4)	1st December 2000	2000/1116
Section 85(5)	1st December 2000	2000/1047
Schedule 13 in the following respects, and section 88 so far as it relates to them:—		
Part I (partially)	25th April 2000	2000/1047
Part II (partially)	1st December 2000	2000/1047, 2000/1116
Part III	1st December 2000	2000/1047
Part IV	3rd November 2000 and 6th April 2001	2000/2958
Part V (partially)	2nd April 2000, 24th April 2000 and 9th April 2001	1999/3309, 2000/1047
Parts VI and VII	6th April 2000	1999/3420