

1973 No. 1433 (C.40)**SOCIAL SECURITY****The Social Security Act 1973 (Commencement No. 2) Order 1973**

<i>Made - - - -</i>	<i>13th August 1973</i>
<i>Laid before Parliament</i>	<i>15th August 1973</i>
<i>Coming into Operation</i>	<i>5th September 1973</i>

The Secretary of State for Social Services, in exercise of powers conferred by section 101 of the Social Security Act 1973(a), hereby makes the following order:—

Citation and commencement

1. This order may be cited as the Social Security Act 1973 (Commencement No. 2) Order 1973 and shall come into operation on 5th September 1973.

Appointed days

2. Save as is provided in article 3 of this order, the day appointed for the coming into operation—

(a) of all the provisions of Parts II and III of the Social Security Act 1973 other than sections 77 and 78 (for which 6th April 1975 has already been appointed (b)) and sections 66(6), 69(7) and 76, and

(b) of the provisions of Part IV of that Act specified in column (1) of Schedule 1 to this order,

shall be 6th April 1975.

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

(a) of the provisions specified in column (1) of Schedule 2 to this order, shall, subject to the provisions of paragraph (2) of this article, be 5th September 1973, and

(b) of section 68 of the Social Security Act 1973 (submission to Occupational Pensions Board of proposals for regulations), shall be 18th January 1974.

(a) 1973 c. 38.

(b) S.I. 1973/1249 (1973 II, p. 3703).

(2) Paragraph (1)(a) of this article shall have effect—

(a) in relation to the provisions of sections 51 and 53 to 60 of the Social Security Act 1973, only for the purpose of the issue, cancellation, variation or surrender before, but with effect from dates not earlier than, 6th April 1975 of recognition certificates (including amended certificates) and for purposes connected with that purpose; and

(b) in relation to the provisions of section 63 of and Schedule 16 to that Act, only for the purpose of enabling steps to be taken before 6th April 1975 to secure that on and after that date occupational pension schemes conform with the preservation requirements and for purposes connected with that purpose;

and for all other purposes article 2 above shall have effect in relation to those provisions.

Transitory provision for article 3

4. Until 6th April 1975 any provision specified in paragraph (2) of article 3 above which is in force by virtue of that article and contains a reference to “the appointed day” shall have effect for any purpose specified in sub-paragraph (a) or (b) of that paragraph as if any such reference to the appointed day were a reference to 6th April 1975.

Specification of “the appointed day”

5. Subject to the transitory provision in article 4 above, where any provision to which this order relates contains a reference to “the appointed day” that day shall be the day appointed by this order for the coming into operation of that provision.

Application to Northern Ireland

6. The days appointed for the coming into operation of section 95 of the Social Security Act 1973 (provisions as to Northern Ireland) in so far as that section relates to any provisions for which commencement dates are appointed by this order shall be the respective dates so appointed for those provisions.

Keith Joseph,

Secretary of State for Social Services.

13th August 1973.

Article 2(b)

SCHEDULE 1

Provisions of Part IV of the Social Security Act 1973 for which 6th April 1975 is appointed as the day of coming into operation.

Provision of the Act (1)	Subject matter (2)
Section 85	Questions arising under the reserve scheme.
Section 86 in relation to the Reserve Pension Board	Appeals and references to the High Court.
Section 91(1), (2) and (4)	Information to be given to employees.
Schedule 25, paragraph 14(1), (2) and (4)	Information to be given to employees (Northern Ireland).

SCHEDULE 2

Provisions of the Social Security Act 1973 for which 5th September 1973 is appointed (subject to article 3(2)) as the day of coming into operation.

Provision of the Act (1)	Subject matter (2)
Sections 51 to 60 and Schedule 15	Recognised pensionable employments.
Section 63 and Schedule 16	Preservation of benefits.
Sections 64 and 65	Modification and winding up of schemes.
Section 66(1) to (5) and (7) to (9) and Schedule 17	Establishment of Occupational Pensions Board; their functions and procedure.
Section 67	Review of Occupational Pensions Board's determinations.
Section 69(1) to (6) and (8)	Rule against perpetuities.
Section 70	Legal restrictions of doubtful application.
Section 71	Friendly Societies.
Section 72	Fees for official services to schemes.
Section 73 and Schedule 18 Part I	Reserve Pension Board.
Section 74 and Schedule 18 Part II	Reserve Pension Fund.
Section 75(1) to (5)	Management of the Fund and its investments.
Section 86 in relation to the Occupational Pensions Board	Appeals and references to the High Court.
Section 89(2) and section 89(3) in relation to section 89(2)	Disclosure of information to Occupational Pensions Board by Inland Revenue.
Section 91(3) and (5)	Information to be given to employees and construction.
Section 92(3) and (4) and Schedule 23 paragraphs 1 to 6	Offences, penalties and proceedings.
Schedule 25 paragraph 14(3) and (5)	Information to be given to employees and construction (Northern Ireland).
Section 98	Financial provisions.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order brings into force on 6th April 1975 most of the provisions of Parts II and III of the Social Security Act 1973, which concern occupational pension schemes and the reserve pension scheme respectively, and some related provisions of Part IV which are specified in Schedule 1 to the Order.

Certain ancillary provisions and other provisions required to enable preparatory work to be carried out meanwhile, which are specified in Schedule 2 to the Order, are brought into force on 5th September 1973; and section 68 of the Act, which requires the submission to the Occupational Pensions Board of proposals to make regulations in respect of occupational pension schemes, is brought into force on 18th January 1974.

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