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STATUTORY INSTRUMENTS

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**1999 No. 3178**

**The Social Security Act 1998 (Commencement No. 12 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. 12 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 1997 Regulations” means the Social Security (Recovery of Benefits) (Appeals) Regulations 1997(1);
- (c) “the Adjudication Regulations” means the Social Security (Adjudication) Regulations 1995(2);
- (d) “legally qualified panel member” has the meaning it bears in regulation 1(3) of the Regulations;
- (e) “the No. 8 Order” means the Social Security Act 1998 (Commencement No. 8, and Savings and Consequential and Transitional Provisions) Order 1999(3);
- (f) “the No. 9 Order” means the Social Security Act 1998 (Commencement No. 9, and Savings and Consequential and Transitional Provisions) Order 1999(4);
- (g) “the No. 11 Order” means the Social Security Act 1998 (Commencement No. 11, and Savings and Consequential and Transitional Provisions) Order 1999(5);
- (h) “the Regulations” means the Social Security and Child Support (Decisions and Appeals) Regulations 1999(6); and
- (i) “relevant benefit” means income support, child’s special allowance under section 56 of the Contributions and Benefits Act or, as the case may be, a social fund payment mentioned in section 138(1)(a) or (2) of that Act,

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

**Appointed day**

2.—(1) Subject to paragraph (2) below, 29th November 1999 is the day appointed for the coming into force of the—

- (a) the provisions specified in Schedule 1 to this Order; and
- (b) sections 1 and 4 to 7 in relation to—
  - (i) statutory sick pay under Part XI of the Contributions and Benefits Act; and

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(1) [S.I. 1997/2237](#).  
(2) [S.I. 1995/1801](#); relevant amending instruments are [S.I. 1996/182](#) and [2450](#).  
(3) [S.I. 1999/1958 \(C. 51\)](#).  
(4) [S.I. 1999/2422 \(C. 61\)](#).  
(5) [S.I. 1999/2860 \(C. 75\)](#).  
(6) [S.I. 1999/991](#); to which there are amendments not relevant to this Order.

- (ii) statutory maternity pay under Part XII of that Act, in so far as those provisions are not already in force.
- (2) Paragraph (1)(a) above shall not apply in relation to—
- (a) housing benefit;
  - (b) council tax benefit; nor
  - (c) decisions to which article 4(6) of the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (Commencement No. 1 and Transitional Provisions) Order 1999(7) applies.
- (3) 31st March 2000 is the day appointed for the coming into force of paragraph 10 of Schedule 1 (appeal tribunals: supplementary provisions) and sections 5(3) and 7(7) in so far as they relate to it.

### Consequential amendments

- 3.—(1) The amendments and revocations effected by this Order—
- (a) shall take effect as from 29th November 1999; and
  - (b) shall not have effect in relation to—
    - (i) working families' tax credit;
    - (ii) disabled person's tax credit;
    - (iii) decisions to which article 4(6) of the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (Commencement No. 1 and Transitional Provisions) Order 1999 applies.
- (2) The Social Security Benefit (Dependency) Regulations 1977(8) shall be amended in accordance with Schedule 2 to this Order.
- (3) The Social Security (General Benefit) Regulations 1982(9) shall be amended in accordance with Schedule 3 to this Order.
- (4) The Social Fund Maternity and Funeral Expenses (General) Regulations 1987(10) shall be amended in accordance with Schedule 4 to this Order.
- (5) The Income Support (General) Regulations 1987(11) shall be amended in accordance with Schedule 5 to this Order.
- (6) The Social Security (Claims and Payments) Regulations 1987(12) shall be amended in accordance with Schedule 6 to this Order.
- (7) The Housing Benefit (General) Regulations 1987(13) and the Council Tax Benefit (General) Regulations 1992(14) shall be amended in accordance with Schedule 7 to this Order.
- (8) The Social Fund (Application for Review) Regulations 1988(15) shall be amended in accordance with Schedule 8 to this Order.

(7) S.I. 1999/527 (C. 11).

(8) 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).

(9) S.I. 1982/1408; relevant amending instruments are S.I. 1983/186 and 1993/1985.

(10) S.I. 1987/481; relevant amending instrument is S.I. 1997/2538.

(11) S.I. 1987/1967; relevant amending instruments are S.I. 1989/534, 663, 1678, 1990/671, 1993/2119, 1995/516, 2303, 1996/206, 462 and 1997/65 and 2863.

(12) S.I. 1987/1968; relevant amending instruments are S.I. 1988/522, 1989/136 and 1686, 1990/2208, 1991/387, 2741 and 2284, 1992/247, 1026 and 2595, 1993/1113 and 2113, 1994/2319 and 2943, 1995/1613, 1996/1460 and 2306 and 1998/1174 and 1381.

(13) S.I. 1987/1971; relevant amending instruments are S.I. 1995/560 and 626 and 1996/1510.

(14) S.I. 1992/1814; relevant amending instruments are S.I. 1995/560 and 626 and 1996/1510.

(15) S.I. 1988/34; relevant amending instruments are S.I. 1988/1843 and 1990/580.

(9) The Social Security (Payments on Account, Overpayments and Recovery) Regulations 1988(16) shall be amended in accordance with Schedule 9 to this Order.

(10) The Community Charges (Deductions from Income Support) (Scotland) Regulations 1989(17) shall be amended in accordance with Schedule 10 to this Order.

(11) The Community Charges (Deductions from Income Support) (No. 2) Regulations 1990(18) shall be amended in accordance with Schedule 11 to this Order.

(12) The Fines (Deductions from Income Support) Regulations 1992(19) shall be amended in accordance with Schedule 12 to this Order.

(13) The Council Tax (Deductions from Income Support) Regulations 1993(20) shall be amended in accordance with Schedule 13 to this Order.

(14) The Employment Protection (Recoupment of Jobseeker's Allowance and Income Support) Regulations 1996(21) shall be amended in accordance with Schedule 14 to this Order.

(15) The Social Security (Back to Work Bonus) (No. 2) Regulations 1996(22) shall be amended in accordance with Schedule 15 to this Order.

(16) The Social Security Benefit (Computation of Earnings) Regulations 1996(23) shall be amended in accordance with Schedule 16 to this Order.

(17) The Social Security (Recovery of Benefits) Regulations 1997(24) shall be amended in accordance with Schedule 17 to this Order.

(18) The Social Fund Winter Fuel Payment Regulations 1998(25) shall be amended in accordance with Schedule 18 to this Order.

(19) The Social Security and Child Support (Decisions and Appeals) Regulations 1999 shall be amended in accordance with Schedule 19 to this Order.

(20) The No. 8 Order, the No. 9 Order and the No. 11 Order shall be amended in accordance with Schedule 20 to this Order.

### **Transitional provisions**

4. Schedules 21 to 23 to this Order shall take effect as from 29th November 1999.

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

25th November 1999

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

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(16) S.I. 1988/664; relevant amending instruments are S.I. 1991/2742, 1996/30 and 1345.

(17) S.I. 1989/507 (S. 59); relevant amending instruments are S.I. 1990/113, 1992/1026, 1993/2113 and 1996/2344.

(18) S.I. 1990/545; relevant amending instruments are S.I. 1992/1026, 1993/2113 and 1996/2344.

(19) S.I. 1992/2182; relevant amending instruments are S.I. 1993/495, 1996/2344 and 1997/827.

(20) S.I. 1993/494; relevant amending instruments are S.I. 1996/2344 and 1997/827.

(21) S.I. 1996/2349.

(22) S.I. 1996/2570; the relevant amending instrument is S.I. 1997/454.

(23) S.I. 1996/2745.

(24) S.I. 1997/2205.

(25) S.I. 1998/19, to which there are amendments not relevant to this Order.