

---

STATUTORY INSTRUMENTS

---

**1999 No. 3178 (C. 81)**

**SOCIAL SECURITY  
COMMUNITY CHARGES,  
ENGLAND AND WALES  
COMMUNITY CHARGES, SCOTLAND**

The Social Security Act 1998 (Commencement No. 12 and  
Consequential and Transitional Provisions) Order 1999

*Made - - - - 25th November 1999*

**THE SOCIAL SECURITY ACT 1998 (COMMENCEMENT  
NO. 12 AND CONSEQUENTIAL AND  
TRANSITIONAL PROVISIONS) ORDER 1999**

1. Citation and interpretation
  2. Appointed day
  3. Consequential amendments
  4. Transitional provisions
- Signature

---

**SCHEDULE 1 — PROVISIONS BROUGHT INTO FORCE ON 29TH NOVEMBER  
1999**

**SCHEDULE 2 — AMENDMENT OF THE SOCIAL SECURITY BENEFIT  
(DEPENDENCY) REGULATIONS 1977**

1. In regulation 1(2) (interpretation), for the definition of “the determining...
2. In regulation 3 (allocation of contributions for spouse or children)...

**SCHEDULE 3 — AMENDMENT OF THE SOCIAL SECURITY (GENERAL  
BENEFIT) REGULATIONS 1982**

1. In regulation 1(2) (interpretation), for the definition of “determining authority”...
2. In paragraphs (7) and (8) of regulation 11 (further definition...
3. In paragraphs (2) to (4) of regulation 40 (disqualification for...

**Changes to legislation:** There are currently no known outstanding effects for the The Social Security Act 1998 (Commencement No. 12 and Consequential and Transitional Provisions) Order 1999. (See end of Document for details)

SCHEDULE 4 — AMENDMENT OF THE SOCIAL FUND MATERNITY AND FUNERAL EXPENSES (GENERAL) REGULATIONS 1987

SCHEDULE 5 — AMENDMENT OF THE INCOME SUPPORT (GENERAL) REGULATIONS 1987

1. In regulation 5(2)(b)(ii) (persons treated as engaged in remunerative work),...
2. In regulation 38 (calculation of net profit of self-employed earners)...
3. For paragraph (1) of regulation 41 (capital treated as income)...
4. In regulation 42 (notional income)— (a) in paragraphs (2B) and...
5. For paragraph (1) of regulation 44 (modifications in respect of...
6. In regulation 49(b)(i) (calculation of capital in the United Kingdom),...
7. In regulation 69 (disregard of changes occurring during summer vacation)...
8. In regulation 70(4)(b) (urgent cases) for the words “adjudication officer”...
9. In Schedule 3 (housing costs)— (a) in paragraph 13—
10. In paragraph 3(4) of Schedule 3B (protected sum)—

SCHEDULE 6 — AMENDMENT OF THE SOCIAL SECURITY (CLAIMS AND PAYMENTS) REGULATIONS 1987

1. Subject to paragraphs 2 and 4 to 6, 10, 12...
2. In regulation 2(1) (interpretation)— (a) the definition of “adjudicating authority”...
3. In regulation 3 (claims not required for entitlement to benefit...
4. In regulation 13 (advance claims and awards)—
5. In regulation 13A (advance award of disability living allowance)—
6. In regulation 13C(3) (further claim for and award of disability...
7. In regulation 17(4) (duration of awards), the words from “;...”
8. In regulation 26 (income support)— (a) in paragraph (1), for...
9. In regulation 26A (jobseeker’s allowance)— (a) in paragraph (4)—
10. In regulation 31(4) (time and manner of payments of industrial...
11. In the heading to Part V (suspension and extinguishment), the...
12. Regulations 37 to 37B (suspension, withholding and payment of withheld...
13. In regulation 38(2A) (extinguishment of right to payment of sums...
14. In paragraph 1(2)(a) of Schedule 2 (special provisions relating to...
15. In Schedule 7 (manner and time of payment, effective date...
16. In Schedule 9 (deductions from benefit and direct payment to...
17. In paragraph 3(1) of Schedule 9A (deductions of mortgage interest...

SCHEDULE 7 — AMENDMENT OF THE HOUSING BENEFIT (GENERAL) REGULATIONS 1987 AND THE COUNCIL TAX BENEFIT (GENERAL) REGULATIONS 1992

1. In regulation 2(1) (interpretation) of the Housing Benefit (General) Regulations...
2. In regulation 95(4A) (withholding of benefit) of the Housing Benefit...

SCHEDULE 8 — AMENDMENT OF THE SOCIAL FUND (APPLICATION FOR REVIEW) REGULATIONS 1988

SCHEDULE 9 — AMENDMENT OF THE SOCIAL SECURITY (PAYMENTS ON ACCOUNT, OVERPAYMENTS AND RECOVERY) REGULATIONS 1988

1. In regulation 1(2) (interpretation), for the definition of “adjudicating authority”...
2. In regulation 2(1) (making of interim payments), for the words...
3. In regulation 5(2) (offsetting prior payment against subsequent award)–
4. In regulation 8(2) (duplication of prescribed payments), for the words...
5. In the heading to Part VI, the words “REVISION OF...”
6. In regulation 12 (circumstances in which determination need not be...
7. In regulation 23 (increase of amount of award on appeal...
8. In regulation 24 (review of determination of protected earnings)–
9. In regulation 25(2)(b) (power to serve further deduction notice on...
10. In regulation 26 (right of Secretary of State to recover...

SCHEDULE 10 — AMENDMENT OF THE COMMUNITY CHARGES  
(DEDUCTIONS FROM INCOME SUPPORT) (SCOTLAND)  
REGULATIONS 1989

1. In regulation 1(2) (interpretation)– (a) the definitions of “the 1975...
2. (1) In the heading to regulation 2 (deductions from income...
3. For regulations 2A (deductions from debtor’s jobseeker’s allowance) and 3...
4. For paragraph (1) of regulation 4 (circumstances, time of making...
5. For regulations 5 (appeal) and 6 (review) there shall be...
6. Regulations 7 to 11 and Schedules 1 and 2 are...

SCHEDULE 11 — AMENDMENT OF THE COMMUNITY CHARGES  
(DEDUCTIONS FROM INCOME SUPPORT) (No. 2)  
REGULATIONS 1990

1. In regulation 1(2) (interpretation)– (a) the definitions of “the 1975...
2. (1) In the heading to regulation 2 (deductions from income...
3. For regulations 2A (deductions from debtor’s jobseeker’s allowance) and 3...
4. For paragraph (1) of regulation 4 (circumstances, time of making...
5. For regulations 5 (appeal) and 6 (review) there shall be...
6. Regulations 7 to 11 and Schedules 1 and 2 are...

SCHEDULE 12 — AMENDMENT OF THE FINES (DEDUCTIONS FROM INCOME  
SUPPORT) REGULATIONS 1992

1. In regulation 1(2) (interpretation)– (a) for the definition of “the...
2. For regulations 4 to 6A (reference to adjudication officer, notification...
3. In regulation 7 (circumstances, time of making and termination of...
4. For regulations 9 (appeal) and 10 (review) there shall be...
5. Regulations 11 to 15 and Schedules 1 and 2 are...

SCHEDULE 13 — AMENDMENT OF THE COUNCIL TAX (DEDUCTIONS FROM  
INCOME SUPPORT) REGULATIONS 1993

1. In regulation 1(2) (interpretation)– (a) for the definition of “the...
2. For regulations 5 to 7A (reference to adjudication officer, notification...
3. For paragraph (4) of regulation 8 (circumstances, time of making...
4. For regulations 10 (appeal) and 11 (review) there shall be...
5. Regulations 12 to 16 and Schedules 1 and 2 are...

SCHEDULE 14 — AMENDMENT OF THE EMPLOYMENT PROTECTION  
(RECOUPMENT OF JOBSEEKER’S ALLOWANCE AND  
INCOME SUPPORT) REGULATIONS 1996

**Changes to legislation:** There are currently no known outstanding effects for the The Social Security Act 1998 (Commencement No. 12 and Consequential and Transitional Provisions) Order 1999. (See end of Document for details)

1. In the heading to Part IV (determination and review of...
2. For paragraphs (2) and (3) of regulation 10 (provisions relating...

**SCHEDULE 15 — AMENDMENT OF THE SOCIAL SECURITY (BACK TO WORK BONUS) (No. 2) REGULATIONS 1996**

1. In regulations 5(4)(c)(ii) and (6) , 8(5)(b) and 25(1), for...
2. In regulation 8(4)(c) and (d), for the word “review” there...
3. In regulation 9(2), the words “upon the adjudication officer” shall...

**SCHEDULE 16 — AMENDMENT OF THE SOCIAL SECURITY BENEFIT (COMPUTATION OF EARNINGS) REGULATIONS 1996**

1. Subject to the following provisions of this Schedule, for the...
2. In regulation 2(1) (interpretation), the definition of “adjudicating authority” shall...
3. In regulation 4 (notional earnings)— (a) in paragraph (1), for...
4. In regulation 6(8) (calculation of earnings of employed earners), in...
5. In regulation 13(8) (calculation of net profit of self-employed earners),...
6. In regulation 14(2) (deduction of tax and contributions for self-employed...
7. Regulation 16 (transitional provision to suspend benefit and make interim...

**SCHEDULE 17 — AMENDMENT OF THE SOCIAL SECURITY (RECOVERY OF BENEFITS) REGULATIONS 1997**

**SCHEDULE 18 — AMENDMENT OF THE SOCIAL FUND WINTER FUEL PAYMENT REGULATIONS 1998**

1. In regulation 1(2) (interpretation), the definition of “the Administration Act”...
2. For paragraph (2) of regulation 4 (official records) there shall...

**SCHEDULE 19 — AMENDMENT OF THE SOCIAL SECURITY AND CHILD SUPPORT (DECISIONS AND APPEALS) REGULATIONS 1999**

1. In regulation 7 (date from which a decision superseded under...
2. In paragraph 8 of Schedule 2 (decisions against which no...

**SCHEDULE 20 — AMENDMENT OF THE NO. 8 ORDER, THE NO. 9 ORDER AND THE NO. 11 ORDER**

1. The following provisions, namely— (a) paragraphs (5) and (9) to...
2. In— (a) article 3(1) (savings) of the No. 8 Order;...

**SCHEDULE 21 — TRANSITIONAL PROVISIONS IN RELATION TO THE RECOVERY OF BENEFITS**

1. (1) Regulation 2 of the 1997 Regulations shall, notwithstanding regulation...
2. An appeal duly made (but not determined) before 29th November...
3. (1) Notwithstanding regulation 39 and Chapter III of Part V...
4. An appeal tribunal shall completely rehear any appeal to a...
5. A copy of a statement of— (a) the reasons for...
6. (1) Subject to paragraph 1(2) above and sub-paragraph (3) below—...
7. (1) Subject to sub-paragraph (2) below, any decision of a...

**SCHEDULE 22 — TRANSITIONAL PROVISIONS IN RELATION TO RELEVANT BENEFITS**

1. A decision which fell to be made before 29th November...
2. (1) Any application duly made before 29th November 1999 under...
3. (1) A decision (other than a decision of a social...
4. (1) This paragraph applies where the time limit for making...
5. An appeal to a social security appeal tribunal in relation...
6. (1) This paragraph applies where a clerk to a social...
7. Where an appeal to a social security appeal tribunal in...
8. An appeal tribunal shall completely rehear any appeal to a...
9. A copy of a statement of— (a) the reasons for...
10. (1) Subject to sub-paragraph (2) below, any decision of a...
11. (1) Subject to sub-paragraph (3) below, regulation 10 of the...
12. Where, immediately before 29th November 1999, a payment of relevant...
13. For the purpose of section 10(1)(b), a decision of a...

#### SCHEDULE 23 — TRANSITIONAL PROVISIONS IN RELATION TO THE SOCIAL FUND

1. An application to— (a) the social fund shall, from 29th...
2. A determination of a social fund officer shall be treated...
3. In this Schedule “appropriate officer” has the meaning it bears...

Explanatory Note

**Changes to legislation:**

There are currently no known outstanding effects for the The Social Security Act 1998 (Commencement No. 12 and Consequential and Transitional Provisions) Order 1999.