

**2000 No. 358 (C. 16)**

**CHILD SUPPORT**

**PENSIONS**

**SOCIAL SECURITY**

**The Child Support, Pensions and Social Security (2000 Act)  
(Commencement No. 1) Order (Northern Ireland) 2000**

*Made . . . . . 21st November 2000*

The Department for Social Development, in exercise of the powers conferred on it by section 68(2)(a) of the Child Support, Pensions and Social Security Act (Northern Ireland) 2000(a) and of all other powers enabling it in that behalf, hereby makes the following Order:

*Citation and interpretation*

**1.**—(1) This Order may be cited as the Child Support, Pensions and Social Security (2000 Act) (Commencement No. 1) Order (Northern Ireland) 2000.

(2) In this Order “the Act” means the Child Support, Pensions and Social Security Act (Northern Ireland) 2000.

*Appointed days*

**2.** The day appointed for the coming into operation of—

- (a) the provisions of the Act specified in Part I of the Schedule, is 22nd November 2000;
- (b) the provisions of the Act specified in Part II of the Schedule for the purpose only of authorising the making of regulations, is 22nd November 2000;
- (c) paragraph 25 of Schedule 3 to the Act (amendment of statutory provisions relating to child support) and section 25 of the Act in so far as it relates to it, is 1st January 2001;
- (d) the provisions of the Act specified in Part III of the Schedule in so far as not already in operation, is 1st January 2001; and
- (e) the provisions of the Act specified in Part IV of the Schedule for the purpose only of authorising the making of regulations or orders, is 8th January 2001.

Sealed with the Official Seal of the Department for Social Development  
on 21st November 2000.

(L.S.)

*John O'Neill*

Senior Officer of the Department for Social Development

## PART I

**Provisions coming into operation on 22nd November 2000**

<i>Provisions of the Act</i>	<i>Subject Matter</i>
Section 37	Sharing of state scheme rights
Section 63	Child benefit disregards
Section 64	Social Security Advisory Committee
The following paragraphs of Schedule 5 and section 52 in so far as it relates to them—	Pensions: miscellaneous amendments
paragraph 7	Trustees of schemes
paragraph 8	Register of disqualified trustees
paragraph 11	Orders and regulations
The following paragraphs of Schedule 6, and paragraph 1 of that Schedule and section 58 in so far as relating to them—	Social security investigation powers
paragraph 7	Breach of regulations
paragraph 8 in so far as it inserts section 115CA(1) into the Administration Act for the purposes of construing section 107 of that Act as amended by paragraph 7	Insertion of section 115CA
Schedule 9, Part III(10) and section 67 in so far as it relates to that repeal	Repeals

## PART II

**Provisions coming into operation on 22nd November 2000 for the purpose only of making regulations**

<i>Provisions of the Act</i>	<i>Subject Matter</i>
Section 3	Applications by persons claiming or receiving benefit
Section 4	Default and interim maintenance decisions
Section 5	Departure from usual rules for calculating maintenance
Section 7	Variations: revision and supersession
Section 9	Decisions superseding earlier decisions
Section 10	Appeals to appeal tribunals
Section 16	Disqualification from driving
Section 17	Financial penalties

<i>Provisions of the Act</i>	<i>Subject Matter</i>
Section 18	Reduced benefit decisions
Section 19	Voluntary payments
Section 20	Recovery of child support maintenance by deduction from benefit
Section 21(3)	Jurisdiction
Section 24	Regulations
Section 26	Temporary compensation payment scheme
Section 28	Transitional provisions, savings, etc.
Section 60	Discretionary financial assistance with housing
Section 62	Recovery of housing benefit
Schedule 1 and section 1(3)	Substituted Part I of Schedule 1 to the Child Support Order
Schedule 2 and section 6	Substituted Schedules 4A and 4B to the Child Support Order
Schedule 3, paragraph 26 and section 25 in so far as it relates to it	Fees
The following paragraphs of Schedule 7, and paragraph 1 of that Schedule and section 59 in so far as relating to them—	Housing benefit: revisions and appeals
paragraph 3	Revision of decisions
paragraph 4	Decisions superseding earlier decisions
paragraph 6	Appeal to appeal tribunal
paragraph 8	Appeal from tribunal to Commissioner
paragraph 9	Appeal from Commissioner on point of law
paragraph 10	Procedure
paragraph 12	Matters arising as respects decisions
paragraph 13	Suspension in prescribed circumstances
paragraph 14	Suspension for failure to furnish information, etc.
paragraph 15	Termination in cases of a failure to furnish information, etc.
paragraph 16	Decisions involving issues that arise on appeal in other cases
paragraph 19	Correction of errors and setting aside of decisions
paragraph 20	Regulations
paragraph 21	Consequential amendment of the Administration Act
paragraph 23	Interpretation

PART III

**Provisions coming into operation on 1st January 2001 in so far as not already in operation**

<i>Provisions of the Act</i>	<i>Subject Matter</i>
Section 7 in so far as it relates to Article 28G(2) of the Child Support Order	Variations: revision and supersession
Section 26	Temporary compensation payment scheme

PART IV

**Provisions coming into operation on 8th January 2001 for the purpose only of making regulations or orders**

<i>Provisions of the Act</i>	<i>Subject Matter</i>
Section 29	Earnings from which pension derived
Section 30	Calculation
Section 31	Calculation of Category B retirement pension
Section 32	Revaluation
Section 33	Supplementary
Schedule 4	Additional pension

## EXPLANATORY NOTE

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

This Order provides for the coming into operation of provisions of the Child Support, Pensions and Social Security Act (Northern Ireland) 2000 as follows—

22nd November 2000 for provisions relating to—

the sharing of state scheme rights,  
child benefit disregards,  
the Social Security Advisory Committee,  
pensions miscellaneous amendments and repeals, and  
social security investigation powers;

22nd November 2000 for provisions relating to—

child support,  
discretionary financial assistance with housing,  
recovery of housing benefit, and  
housing benefit revision and appeals,

for the purpose only of authorising the making of regulations;

1st January 2001 for a further provision relating to child support; and

8th January 2001 for provisions relating to state second pension for the purpose only of authorising the making of regulations or orders.

The impact on business of the commencement of provisions in the Child Support, Pensions and Social Security Act (Northern Ireland) 2000 is detailed in the Regulatory Impact Assessment relating to the Child Support, Pensions and Social Security Bill. A copy of that Assessment may be obtained, free of charge, from Social Security Policy and Legislation Division, Castle Buildings, Stormont, Belfast BT4 3SQ.

£2.00

Published by The Stationery Office Limited

Printed in the UK by The  
Stationery Office Limited  
under the authority and  
superintendence of Carol  
Tullo, Controller of  
Her Majesty's Stationery  
Office being the Government  
Printer for Northern Ireland and  
the Officer appointed to print the  
Acts of the Northern Ireland Assembly

Dd. 602138. C3. 11/00. Gp. 130. 14567.