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STATUTORY INSTRUMENTS

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**2000 No. 2994 (C.94)**

**FAMILY LAW**

**CHILD SUPPORT**

**The Child Support, Pensions and Social Security  
Act 2000 (Commencement No. 3) Order 2000**

*Made - - - - 7th November 2000*

The Secretary of State for Social Security, in exercise of the powers conferred upon him by section 86(2) of the Child Support, Pensions and Social Security Act 2000<sup>(1)</sup> and of all other powers enabling him in that behalf, hereby makes the following Order:

**Citation**

1.—(1) This Order may be cited as the Child Support, Pensions and Social Security Act 2000 (Commencement No. 3) Order 2000.

(2) In this Order references to “the Act” are references to the Child Support, Pensions and Social Security Act 2000 and, except where otherwise stated, references to sections and Schedules are references to sections of, and Schedules to, the Act.

**Appointed days**

2.—(1) The day appointed for the coming into force of the provisions of the Act specified in Part I of the Schedule to this Order for the purpose of the exercise of powers to make regulations and Acts of Sederunt is 10th November 2000.

(2) The day appointed for the coming into force of the provisions of the Act specified in Part II of the Schedule to this Order—

(a) for the purpose of the exercise of the power to make regulations is 10th November 2000, and

(b) for all other purposes is 1st January 2001.

(3) The day appointed for the coming into force of paragraph 11(17) of Schedule 3 and section 26 so far as it relates to that paragraph is 1st January 2001.

(4) The day appointed for the coming into force of sections 57 and 58 of the Act—

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- (a) for the purpose of the exercise of the power to make regulations is 15th November 2000, and
  - (b) for all other purposes is 9th April 2001.
- (5) The day appointed for the coming into force of sections 59 and 61 of the Act is 1st January 2001.
- (6) The day appointed for the coming into force of section 60 of the Act and Part IV of Schedule 9 to the Act is 9th April 2001.

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

7th November 2000

*P. Hollis*  
Parliamentary Under-Secretary of State,  
Department of Social Security

## SCHEDULE

### PART I

#### **PROVISIONS BROUGHT INTO FORCE ON 10TH NOVEMBER 2000 FOR THE PURPOSE OF MAKING REGULATIONS AND ACTS OF SEDERUNT**

<i>Provision 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 except in so far as it relates to section 28G(2)	Variations: revision and supersession
Section 9	Decisions superseding earlier decisions
Section 10	Appeals to appeal tribunals
Section 16	Disqualification from driving
Section 17	Civil imprisonment: Scotland
Section 18	Financial penalties
Section 19	Reduced benefit decisions
Section 20	Voluntary payments
Section 21	Recovery of child support maintenance by deduction from benefit
Section 22(3)	Jurisdiction
Section 25	Regulations
Section 29	Interpretation, transitional provisions, savings etc
Schedule 1 and section 1(3)	Substituted Part I of Schedule 1 to the Child Support Act 1991
Schedule 2 and section 6	Substituted Schedules 4A and 4B to the Child Support Act 1991
Paragraph 11(18) of Schedule 3 and section 26 in so far as it relates to that paragraph	Collection and enforcement of fees

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## PART II

### PROVISIONS BROUGHT INTO FORCE ON 10TH NOVEMBER 2000 FOR THE PURPOSE OF MAKING REGULATIONS AND 1ST JANUARY 2001 FOR ALL OTHER PURPOSES

<i>Provision of the Act</i>	<i>Subject matter</i>
Section 7 in so far as it relates to section 28G(2)	Variation application when a maintenance calculation is in force
Section 27	Temporary compensation payment scheme

#### EXPLANATORY NOTE

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

This Order brings into force further provisions of the Child Support, Pensions and Social Security Act 2000 as follows.

Provisions relating to changes to the child support system are commenced for the purpose of making regulations and Acts of Sederunt on 10th November 2000 (article 2(1)).

Certain provisions relating to those changes which are to take effect in advance of the overall changes to the child support system are commenced from 1st January 2001 (article 2(2)). These concern the introduction of a statutory compensation scheme in relation to the current child support system, the ability to prescribe benefits for the purpose of Schedule 1 to the Act for flat rate cases and the ability to modify the provisions on variations for applications made when a maintenance calculation is in force.

Article 2(3) commences an amendment to section 33 of the Act to clarify what constitutes failure to make a payment when a court is considering a liability order.

Provisions relating to appeal rights and time limits for appeals in relation to war pensions are commenced for the purpose of making regulations on 15th November 2000 and fully on 9th April 2001 (article 2(4)).

Article 2(5) commences on 1st January 2001 provisions relating to the matters which are relevant for consideration on an appeal to the Pensions Appeal Tribunals and to enable the constitution of the Central Advisory Committee on war pensions to be amended.

Provisions concerning the constitution and procedure of the Pension Appeals Tribunal are commenced from 9th April 2001 (article 2(6)).

The impact on business of the commencement provisions in the Child Support, Pensions and Social Security Act 2000 is detailed in the Regulatory Impact Assessment (as revised) relating to the Child Support, Pensions and Social Security Bill (which was introduced in the House of Commons on 1st December 1999). A copy of that Assessment has been placed in the libraries of both Houses of Parliament and can 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 Child Support, Pensions and Social Security Act 2000 (Commencement No. 1) Order 2000 (S.I.2000/2666 (C. 74)) and the Child Support, Pensions and Social Security Act 2000 (Commencement No. 2) Order 2000 (S.I. 2000/2950 (C.87)).

<i>Provision</i>	<i>Date of commencement</i>	<i>S.I. No.</i>
* <b>(2)</b> Sections 30 to 35	8 January 2001	2000/2950
Section 36	1 November 2000	2000/2950
Section 41	29 September 2000	2000/2666
*Sections 62 to 65	1 December 2000	2000/2950
*Section 69	1 November 2000	2000/2950
*Section 71	1 November 2000	2000/2950
Section 72	9 October 2000	2000/2666
Section 73	1 December 2000	2000/2950
Schedule 4	8 January 2001	2000/2950
Schedule 5, paragraph 10 and section 56 in so far as it relates to that paragraph	1 November 2000	2000/2950
Schedule 6, paragraph 7 and paragraph 8 (partially) and paragraph 1 and section 67 in so far as they relate to those paragraphs	1 November 2000	2000/2950
*Schedule 7, paragraphs 3, 4, 6, 8 to 10, 12 to 16, 19, 20, 21 and 23 and paragraph 1 and section 68 in so far as they relate to those paragraphs	1 November 2000	2000/2950

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(2) In this note an asterisk indicates that the provisions in the entry to which it relates has or have been commenced in part only.