
STATUTORY RULES OF NORTHERN IRELAND

1998 No. 395 (C. 19)

SOCIAL SECURITY

**The Social Security (1998 Order) (Commencement
No. 2) Order (Northern Ireland) 1998**

Made - - - - 13th November 1998

The Department of Health and Social Services, in exercise of the powers conferred on it by Article 1(2) and (4) of the Social Security (Northern Ireland) Order 1998⁽¹⁾ 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 Social Security (1998 Order) (Commencement No. 2) Order (Northern Ireland) 1998.

(2) In this Order any reference to a numbered Article or Schedule is to the Article of, or the Schedule to, the Social Security (Northern Ireland) Order 1998 bearing that number.

Appointed days

2.—(1) Subject to Article 3 of this Order, the day appointed for the coming into operation of—

(a) Article 40 (child support: revision of decisions)—

(i) for the purpose only of authorising the making of regulations, is 16th November 1998, and

(ii) for all other purposes, is 7th December 1998; and

(b) paragraph 31(a) of Schedule 6 (minor and consequential amendments) and Article 78(1) in so far as it relates to it, is 16th November 1998.

(2) The day appointed for the coming into operation of Article 72 (power to anticipate pensions up-rating order) is 16th November 1998.

Transitional modifications and savings

3.—(1) References in Article 18(1) and (6) of the Child Support Order (revision of decisions) to a decision of the Department shall be treated as including references to a decision of a child support officer.

(2) In relation to any time before the coming into operation of—

- (a) Article 41, Article 18(1) of the Child Support Order shall have effect as if for “Article 13, 14 or 19” there were substituted “Article 13 or 14”; and
- (b) Article 44, Article 18(3) of that Order shall have effect as if the words “and Article 28ZC” were omitted.

(3) Notwithstanding the commencement of Article 40, Article 18 of the Child Support Order shall continue to apply with respect to any maintenance assessment which takes effect for the purposes of that Order on or before 8th December 1996 as though Article 40 had not been commenced.

(4) Notwithstanding the commencement of paragraph 31(a) of Schedule 6, in relation to any time before the coming into operation of Article 41, Article 47(2)(a)(iii) of the Child Support Order (supplementary powers to make regulations) shall apply with respect to—

- (a) reviews under Article 18 of that Order of maintenance assessments to which paragraph (3) of this Article applies; and
- (b) reviews under Articles 19 to 21 of that Order,

as though paragraph 31(a) had not been commenced.

Sealed with the Official Seal of the Department of Health and Social Services on

L.S.

13th November 1998.

John O'Neill
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order provides for the coming into operation of provisions of the Social Security (Northern Ireland) Order 1998 as follows—

16th November 1998 for Article 40 relating to the revision of child support decisions for the purpose only of authorising the making of regulations and from 7th December 1998 for all other purposes; and

16th November 1998 for Article 72 relating to pensions up-rating and paragraph 31(a) of Schedule 6 and Article 78(1) in so far as it relates to that paragraph.

The Order also makes transitional modifications and savings.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order.)

The following provisions of the Social Security (Northern Ireland) Order 1998 have been brought into operation by the Social Security (1998 Order) (Commencement No. 1) Order (Northern Ireland) 1998 (S.R. 1998 No. 312 (C. 15)) as from the dates shown.

<i>Provision</i>	<i>Date of Commencement</i>
Article 4(1) and (2)(b) to (h)	9.9.98
Article 16(4)(a) and (5)	9.9.98
Article 16(4)(b)	6.4.99
Article 45	9.9.98
Article 46	9.9.98
Article 47(1) (partially)	9.9.98
Article 49	9.9.98
Article 50 (partially)	9.9.98 and 6.4.99
Article 52	9.9.98
Article 61 (partially)	9.9.98 and 6.4.99
Article 64	9.9.98
Article 69	6.4.99
Article 71	5.10.98
Article 78(1) and Schedule 6 (partially)	9.9.98 and 6.4.99
Article 78(2) and Schedule 7 (partially)	9.9.98 and 6.4.99