

1999 No. 1055 (C. 30)

SOCIAL SECURITY

**The Social Security Act 1998 (Commencement No. 6)
Order 1999**

Made - - - - *31st March 1999*

The Secretary of State for Social Security, in exercise of the powers conferred by sections 79(3) and 87(2) and (3) of the Social Security Act 1998^(a) and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation and interpretation

1.—(1) This Order may be cited as the Social Security Act 1998 (Commencement No. 6) Order 1999.

(2) In this Order, except where the context otherwise requires, references to sections and Schedules are references to sections of, and Schedules to, the Social Security Act 1998.

(3) In this Order “subject to directions and guidance” means in accordance with—

- (a) directions given under section 138(1)(b) of the Contributions and Benefits Act^(b) and section 66 of the Administration Act^(c);
- (b) general directions issued under section 140(2) of the Contributions and Benefits Act and sections 66 and 168(5) of the Administration Act; and
- (c) guidance issued under section 138(1)(b) of the Contributions and Benefits Act,

and taking account of guidance and general guidance issued under section 66 of the Administration Act and general guidance issued under section 140(2) of the Contributions and Benefits Act and section 64(3) the Administration Act.

Appointed day

2. 5th April 1999 is the appointed day for the coming into force of—

- (a) sections 70 and 71;
- (b) sub-paragraphs (3) and (4) of paragraph 72 of Schedule 7 and section 86(1) in so far as it relates to them; and
- (c) section 86(2) and Schedule 8 in so far as they repeal sections 139(3) and 140(4)(e) of the Contributions and Benefits Act.

Transitional provision

3.—(1) Any question arising upon—

- (a) an application made before the appointed day for a payment out of the social fund; or
- (b) a review of a determination made subject to directions and guidance in force before the appointed day,

(a) 1998 c. 14.
(b) 1992 c. 4.
(c) 1992 c. 5.

shall be determined subject to directions and guidance in force immediately before the appointed day.

(2) Until the coming into force of paragraph 73 of Schedule 7, section 140(1A) of the Contributions and Benefits Act shall have effect as if the references to “an appropriate officer” and “the appropriate officer” were references respectively to “a social fund officer” and “the social fund officer”.

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

31st March 1999

Patricia Hollis
Parliamentary Under-Secretary of State,
Department of Social Security

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for the coming into force on 5th April 1999 of provisions in the Social Security Act 1998 which amend provisions in the Social Security Contributions and Benefits Act 1992 relating to payments from the social fund.

Article 2(a) commences provisions which enable payments to be made out of the social fund by way of community care grant, crisis loan or budgeting loan in accordance with directions given or guidance issued by the Secretary of State. The terms “community care grant”, “crisis loan” and “budgeting loan” are defined. Provision is made that an application for an award of a community care grant may be treated as an application for an award of a crisis loan and vice versa in circumstances specified in a direction issued by the Secretary of State. Provision is also made as to the factors which a social fund officer should take into account in determining whether to make a budgeting loan.

Article 2(b) and (c) commence provisions which make amendments to, and repeal, provisions consequential on the effect of the provisions commenced by article 2(a).

Article 3 makes transitional provision in the light of the effect of the provisions commenced by article 2. Article 3(1) provides that questions arising on applications or decisions made before 5th April 1999 shall be determined subject to directions and guidance in force on 4th April 1999. Article 3(2) provides that the references to appropriate officers in section 140(1A) (which is inserted by virtue of article 2(a)) shall be treated as references to social fund officers.

This Order does not impose a charge on business.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions have been brought into force by the Social Security Act 1998 (Commencement No. 1) Order 1998 (S.I. 1998/2209), the Social Security Act 1998 (Commencement No. 2) Order 1998 (S.I. 1998/2780), the Social Security Act 1998 (Commencement No. 3) Order 1999 (S.I. 1999/418), the Social Security Act 1998 (Commencement No. 4) Order 1999 (S.I. 1999/526) and the Social Security Act 1998 (Commencement No. 5) Order 1999 (S.I. 1999/528).

<i>Provision of Social Security Act</i>	<i>Date of Commencement</i>	<i>S.I. Number</i>
section 2 (except section 2(2)(a))	8th September 1998	1998/2209
section 3	8th September 1998	1998/2209
*(a) section 6 (3)	4th March 1999	1999/528
*section 7(6)	4th March 1999	1999/528
*section 7(7) in so far as it relates to the regulation-making powers in paragraphs 7, 11 and 12 of Schedule 1	4th March 1999	1999/528
*section 9(1), (4) and (6)	4th March 1999	1999/528
*section 10(3) and (6)	4th March 1999	1999/528
*section 11(1)	4th March 1999	1999/528

(a) In this note an asterisk indicates that the provision or provisions in the entry to which it relates has or have been commenced only for the purposes of making regulations.

<i>Provision of Social Security Act</i>	<i>Date of Commencement</i>	<i>S.I. Number</i>
*section 12(1) in so far as it relates to paragraph 9 of Schedule 2 and paragraphs 1, 4 and 9 of Schedule 3	4th March 1999	1999/528
*section 12(2), (3), (6) and (7)	4th March 1999	1999/528
*section 14(3), (10) and (11)	4th March 1999	1999/528
*section 14(12) in so far as it relates to paragraph 6 and 8 of Schedule 4	4th March 1999	1999/528
*section 15(2) and (3)	4th March 1999	1999/528
*section 16(1) to (3) and (9) and Schedule 5	4th March 1999	1999/528
section 16(4) and (5)	8th September 1998 and 6th April 1999	1998/2209
*section 17	4th March 1999	1999/528
*section 18(1)	4th March 1999	1999/528
*sections 20 to 24	4th March 1999	1999/528
*section 25(3)(b) and (5)(c)	4th March 1999	1999/528
*section 26(6)(c)	4th March 1999	1999/528
*section 28	4th March 1999	1999/528
*section 31(2) and (3)	4th March 1999	1999/528
*section 38(1)(a) and (3)	4th March 1999	1999/528
section 40	16th November 1998 and 7th December 1998	1998/2780
*section 41 in so far as it substitutes section 17(3) and (5) of the Child Support Act 1991(a)	4th March 1999	1999/528
*section 42 in so far as it substitutes section 20(4), (5) and (6) of the Child Support Act 1991	4th March 1999	1999/528
*section 43 in so far as it inserts section 28ZA(2)(b) and (4)(c) and 28ZB(6)(c) to the Child Support Act 1991	4th March 1999	1999/528
*section 44 in so far as it inserts section 28ZD into the Child Support Act 1991	4th March 1999	1999/528
*section 45 in so far as it inserts section 3A(1), (3) and (4) into the Vaccine Damage Payments Act 1979(b)	4th March 1999	1999/528
*section 46 in so far as it substitutes section 4(2) and (3) of the Vaccine Damage Payments Act 1979	4th March 1999	1999/528
*section 47 in so far as it inserts section 7A into the Vaccine Damage Payments Act 1979	4th March 1999	1999/528

(a) 1991 c. 48.

(b) 1979 c. 17.

<i>Provision of Social Security Act</i>	<i>Date of Commencement</i>	<i>S.I. Number</i>
section 48	8th September 1998	1998/2209
section 49	8th September 1998	1998/2209
section 50(1) (partially)	8th September 1998	1998/2209
section 51	23rd February 1999 and 6th April 1999	1999/418
section 52	8th September 1998	1998/2209
section 53	8th September 1998 and 6th April 1999	1998/2209
section 54	4th March 1999 and 6th April 1999	1999/526
section 55	8th September 1998	1998/2209
section 56(1)	6th April 1999	1999/526
section 56(2)	4th March 1999 and 6th April 1999	1999/526
section 57	4th March 1999 and 6th April 1999	1999/526
section 59	8th September 1998	1998/2209
section 60	4th March 1999 and 6th April 1999	1999/526
section 61 (partially)	4th March 1999 and 6th April 1999	1999/526
section 62	6th April 1999	1999/526
section 63	4th March 1999 and 6th April 1999	1999/526
section 64	6th April 1999	1999/526
section 65	8th September 1998 and 6th April 1999	1998/2209
section 68	8th September 1998	1998/2209
section 73	6th April 1999	1998/2209
section 74	4th March 1999	1999/528
section 75	5th October 1998	1998/2209
section 76	16th November 1998	1998/2780
*Schedule 1, paragraphs 7, 11 and 12	4th March 1999	1999/528
*Schedule 2, paragraph 9	4th March 1999	1999/528
*Schedule 3, paragraphs 1, 4 and 9	4th March 1999	1999/528
*Schedule 4, paragraphs 6 and 8	4th March 1999	1999/528
Schedule 7 in the respects specified below and section 86(1) in so far as it relates to them—		
*paragraph 8	4th March 1999	1999/528
*paragraph 9	4th March 1999	1999/528
paragraph 16	6th April 1999	1999/418
paragraph 27(a)	8th September 1998	1998/2209
*paragraph 35(2)	4th March 1999	1999/528
*paragraph 39	4th March 1999	1999/528
*paragraphs 40 and 43(3)	4th March 1999	1999/528

<i>Provision of Social Security Act</i>	<i>Date of Commencement</i>	<i>S.I. Number</i>
*paragraph 44 in so far as it relates to the insertion of sections 46A(2) and 46B in the Child Support Act 1991	4th March 1999	1999/528
paragraph 46	16th November 1998 and 4th March 1999	1998/2780 and 1999/528
paragraph 49	8th September 1998	1998/2209
*paragraph 52(4) which substitutes paragraph 6(2) of Schedule 4 to the Child Support Act 1991	4th March 1999	1999/528
*paragraph 53(5)	4th March 1999	1999/528
*paragraph 54	4th March 1999	1999/528
paragraph 56	8th September 1998 and 6th April 1999	1998/2209
paragraph 57	6th April 1999	1998/2209
paragraph 58(1)	6th April 1999	1999/418
paragraph 58(2)	6th April 1999	1998/2209
paragraphs 59 to 61	6th April 1999	1999/418
paragraph 71(b), (c) and (e)	6th April 1999	1999/418
paragraph 71(d)	8th September 1998 and 6th April 1999	1998/2209
paragraphs 74, 75 and 77(2) to (5)	6th April 1999	1998/418
paragraph 77(1), (6) to (9), (11), (12) and (14) to (16)	8th September 1998 and 6th April 1999	1998/2209
paragraph 85	6th April 1999	1999/526
paragraph 86	6th April 1999	1998/2209 1999/526
paragraph 87	6th April 1999	1999/526
paragraph 90	6th April 1999	1999/418
paragraph 91	8th September 1998 and 6th April 1999	1998/2209
paragraphs 92 to 94	6th April 1999	1999/418
paragraph 99	8th September 1998 and 6th April 1999	1998/2209 1999/418 1999/526
paragraph 100	6th April 1999	1998/2209 and 1999/526
paragraph 104	4th March 1999	1999/528
paragraph 110(1)(a)	8th September 1998 and 6th April 1999	1998/2209
paragraph 110(1)(b)	6th April 1999	1999/418
paragraph 114	8th September 1998 and 6th April 1999	1998/2209

<i>Provision of Social Security Act</i>	<i>Date of Commencement</i>	<i>S.I. Number</i>
paragraphs 126 to 128	6th April 1999	1999/418
*paragraph 121	4th March 1999	1999/528
*paragraph 131	4th March 1999	1999/528
paragraph 133	6th April 1999	1999/418
*paragraph 149	4th March 1999	1999/528
section 86(2) and Schedule 8 (partially)	8th September 1998 and 6th April 1999	1998/2209, 1999/418 and 1999/526

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