

SCHEDULE 3

Transfer of Other Functions to Treasury or Board

The Administration Act

41. In section 12(2) of the Administration Act (provision of medical information in relation to statutory sick pay), after “regulations” there is inserted “made with the concurrence of the Inland Revenue”.

42. In section 13 of that Act (provision of information in relation to statutory maternity pay), after subsection (1) there is inserted—

“(1A) Any regulations for the purposes of subsection (1) above must be made with the concurrence of the Inland Revenue.”.

43. In section 129 of that Act (amendments following alterations in Great Britain)—

- (a) for “Secretary of State” there is substituted “Treasury”,
- (b) for “Department may make a corresponding order” there is substituted “order may also make corresponding provision”

44.—(1) Section 141 of that Act (National Insurance Fund) is amended as follows.

(2) For subsection (1) there is substituted—

“(1) The National Insurance Fund shall be maintained under the control and management of the Inland Revenue.”.

(3) In subsection (2)—

- (a) after “prepared” there is inserted “by the Inland Revenue”,
- (b) for “Department of Finance and Personnel” there is substituted “Treasury”,
- (c) the words “for Northern Ireland” are omitted,
- (d) for “the Assembly” there is substituted “Parliament”.

(4) In subsection (3), for “Department of Finance and Personnel” and “that Department” there is substituted respectively “National Debt Commissioners” and “them”.

(5) In subsection (4) for “Department of Finance and Personnel”, and “the Assembly” there is substituted respectively “National Debt Commissioners” and “Parliament”.

45.—(1) Section 142 of that Act (payment of contributions into National Insurance Fund, etc.) is amended as follows.

(2) In subsection (1), for “Department” and “it” there are substituted respectively “Inland Revenue” and “them”.

(3) In subsection (2)—

- (a) for the words from the beginning to “16(5)” there is substituted “Subsection (1) above is subject to section 16(5)”, and
- (b) the words from “and by” to the end are omitted.

(4) In subsection (3) for “Department of Finance and Personnel” there is substituted “Treasury”.

(5) In subsection (4), as substituted by paragraph 29(2) of Schedule 1 to this Order, in paragraph (b), for “the Department” there is substituted “contributions”.

(6) In subsection (4A)(1), for “, 7B or 7C” there is substituted “or 7B”.

(1) Subsection (4A) was inserted by paragraph 77(2) of Schedule 6 to the Social Security (Northern Ireland) Order 1998.

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- (7) In subsection (6)—
 - (a) for “Department” there is substituted “Inland Revenue”,
 - (b) for “Department considers” there is substituted “Inland Revenue consider”, and
 - (c) for “Department of Finance and Personnel” there is substituted “Treasury”.
- (8) For subsection (7), there is substituted—

“(7) Whenever the Treasury makes an order under section 162(7) of the Great Britain Administration Act (destination of contributions — national health service allocation), the order may also make corresponding provision for Northern Ireland.”.
- (9) In subsection (9)—
 - (a) for “Department”, in the first place where it occurs, there is substituted “Inland Revenue”,
 - (b) for “it” there is substituted “them”, and
 - (c) for the words from “the remainder shall” to “towards” there is substituted “the remainder shall be paid by the Inland Revenue to the relevant Northern Ireland Department towards”.
- (10) In subsection (10), for “Department” there is substituted “Inland Revenue”.
- (11) Subsection (11) shall cease to have effect.
- (12) In subsection (12)—
 - (a) for “Department” there is substituted “Inland Revenue”, and
 - (b) for “it thinks” there is substituted “they think”.

46.—(1) Section 143 of that Act (administrative expenses to include statistical inquiries), is amended as follows.

- (2) In subsection (3) for the words from “undertaken” to the end there is substituted “undertaken—
 - (a) on behalf of the Inland Revenue with a view to obtaining statistics relating to the operation of Part I of the Contributions and Benefits Act, and
 - (b) on behalf of the Department with a view to obtaining statistics relating to the operation of Parts II to VI and XI of that Act.”.
- (3) In subsection (5) for “Department of Finance and Personnel” there is substituted “Treasury”.

47.—(1) Section 145 of that Act (adjustments between National Insurance Fund and Consolidated Fund) is amended as follows.

- (2) In subsection (1), as substituted by paragraph 30(2) of Schedule 1 to this Order, for “out of money appropriated by Measure into the National Insurance Fund” there is substituted “by the Department out of money appropriated by Measure to the Inland Revenue for payment into the National Insurance Fund”.
- (3) In subsection (4), for the words from “specified” to the end there is substituted “specified—
 - (a) in relation to payments falling to be made by the Department, by the Department by order made with the concurrence of the Inland Revenue, or
 - (b) in relation to payments falling to be made by the Inland Revenue, by the Inland Revenue by order”.

48.—(1) In section 153 of that Act (co-ordination with Great Britain), in subsection (2)(a), for “to make” there is substituted “to require the making by the Inland Revenue of”.

(2) This paragraph shall cease to have effect on the commencement of the repeal by the Northern Ireland Act 1998(2) of section 153 of the Administration Act.

49.—(1) Section 165 of that Act (regulations and orders — general) is amended as follows.

(2) In subsection (1), after “and to” there is inserted “any provision providing for an order or regulations to be made by the Treasury or the Inland Revenue and to”.

(3) In subsection (8), for “142(7) and 145(4)” there is substituted “145(4)(a)”.

(4) After subsection (11) there is inserted—

“(11A) Any power of the Treasury or the Inland Revenue under this Act to make regulations or orders is exercisable by statutory instrument; and subsections (4) to (6) above apply to those regulations or orders as they apply to regulations or orders made by the Department.”.

50.—(1) Section 166 of that Act (Assembly, etc. control of orders and regulations) is amended as follows.

(2) In subsection (2)(b) for “section 129, 132, 133 or 142 above” there is substituted “section 132 or 133 above”.

(3) In subsection (5)—

(a) after “subsection (10)” there is inserted “and (10A)”,

(b) after “regulations” there is inserted “or orders”, and

(c) after “Lord Chancellor” there is inserted “, the Treasury or the Inland Revenue”.

(4) After subsection (10) there is inserted—

“(10A) A statutory instrument containing provision under section 129 or 142(7) shall not be made unless a draft of the instrument has been laid before Parliament and approved by a resolution of each House of Parliament.”.

51.—(1) Schedule 5 to that Act (regulations not requiring prior submission to Social Security Advisory Committee) is amended as follows.

(2) For paragraph 4 there is substituted—

“**4.** Regulations which state that they only contain regulations to make provision consequential on regulations under section 5 of the Contributions and Benefits Act.”.

(3) Paragraph 5 is omitted.