

2001 No. 1252 (C. 45)

FAMILY LAW

CHILD SUPPORT

PENSIONS

SOCIAL SECURITY

**The Child Support, Pensions and Social Security Act 2000
(Commencement No. 8) Order 2001**

Made - - - - 28th March 2001

The Secretary of State for Social Security, in exercise of the powers conferred on him by section 86(2) and (3)(a) of the Child Support, Pensions and Social Security Act 2000^(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 Child Support, Pensions and Social Security Act 2000 (Commencement No.8) Order 2001.

(2) In this Order, unless the context otherwise requires, any reference to a numbered section or Schedule is a reference to the section or, as the case may be, the Schedule bearing that number in the Child Support, Pensions and Social Security Act 2000.

Appointed days

2.—(1) 2nd April 2001 is the day appointed for the coming into force of—

- (a) section 67 and Schedule 6 (social security investigation powers), so far as not already in force;
- (b) sub-paragraphs (1) and (3) of paragraph 13 of Schedule 3 (by virtue of which section 24 of the Child Support Act 1995^(b), which is now spent, ceases to have effect), and section 26 so far as it relates to those sub-paragraphs;
- (c) paragraph 11 of Schedule 5 (conditions of payment of surplus out of funds of an occupational pension scheme to employer), and section 56 so far as it relates to that paragraph;
- (d) Part I of Schedule 9 (repeals and revocations—child support provisions) so far as it relates to—

^(a) 2000 c.19.

^(b) 1995 c.34.

- (i) the repeals in section 15(10) of the Child Support Act 1991**(a)**,
 - (ii) the repeal of section 40(1) and (2) of that Act, of section 24 of the Child Support Act 1995 and of paragraph 28 of Schedule 7 to the Social Security Act 1998**(b)**, and
 - (iii) the revocation in the Social Security Act 1998 (Commencement No.2) Order 1998**(c)**; and
- (e) Part VI of Schedule 9 (repeals—investigation powers).
- (2) 2nd July 2001 is the day appointed for the coming into force of the following provisions so far as not already in force:—
- (a) in Schedule 7 (housing benefit and council tax benefit: revisions and appeals)—
 - (i) paragraphs 1 to 16,
 - (ii) paragraph 18, except for sub-paragraph (2)(b),
 - (iii) paragraphs 19 to 21,
 - (iv) except for the purposes specified in paragraph (3) below, paragraph 22(1), and
 - (v) paragraphs 22(2) and (3) and 23,
 and section 68 so far as it relates thereto;
 - (b) section 69 (discretionary financial assistance with housing); and
 - (c) except for the purposes specified in paragraph (3) below, Part VII of Schedule 9 (repeals—housing benefit and council tax benefit).
- (3) The purposes referred to in paragraph (2)(a)(iv) and (c) above are where, pursuant to a request for a further review of a determination under section 34 of the Social Security Act 1998 relating to housing benefit or council tax benefit—
- (a) an oral hearing by a Review Board constituted under the Housing Benefit (General) Regulations 1987**(d)** or, as the case may be, the Council Tax Benefit (General) Regulations 1992**(e)** has been held and completed before 2nd July 2001, the purpose of enabling the Review Board on or after that date to record its decision, or to give or send its decision to persons likely to be affected by it; or
 - (b) a decision on the further review has been given by such a Review Board, whether before, on or after that date—
 - (i) the purpose of enabling the Review Board to correct any accidental error in the record of its decision,
 - (ii) where proceedings are brought by way of judicial review in connection with that decision, the purpose of enabling the Review Board to participate in those proceedings or in any appeal arising out of those proceedings, or
 - (iii) the purpose of giving effect to the Review Board's decision.

Amendment of earlier Order

3. In article 2(5) of the Child Support, Pensions and Social Security Act 2000 (Commencement No.4) Order 2000**(f)** sub-paragraph (b) (which brings Part II of Schedule 5 into force on 1st June 2001 for all purposes other than that of authorising the making of regulations and orders) shall be omitted.

(a) 1991 c.48.

(b) 1998 c.14.

(c) S.I. 1998/2780 (C.66).

(d) S.I. 1987/1971; relevant amendments were made by S.I. 1993/317, 1994/2137 and 2000/897.

(e) S.I. 1992/1814; relevant amendments were made by S.I. 1993/688, 1994/2137 and 2000/897.

(f) S.I. 2000/3166 (C.101).

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

28th March 2001

Jeff Rooker
Minister of State,
Department of Social Security

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.

Section 67 and Schedule 6 (which amend the provisions governing powers of investigation for social security purposes) are brought fully into force, along with associated repeals in Part VI of Schedule 9, on 2nd April 2001 (article 2(1)(a) and (e)). Paragraph 11 of Schedule 5 (concerning the payment to an employer of any surplus out of the funds of an occupational pension scheme) is also brought into force on 2nd April 2001 (article 2(1)(c)), as are a number of miscellaneous repeals and revocations of child support provisions (article 2(1)(b) and (d)).

Section 68 and Schedule 7 except so far as relating to paragraphs 17 and 18(2)(b) of that Schedule, (which make provision for revisions and appeals in connection with housing benefit and council tax benefit), and section 69 (which provides for discretionary assistance with housing) are brought into force on 2nd July 2001, as are the associated repeals in Part VII of Schedule 9, except for certain purposes relating to further reviews of determinations (article 2(2) and (3)).

An amendment is made in an earlier commencement order to revoke the day previously appointed for the coming fully into force of Part II of Schedule 5 (which provides for an alternative to the anti-franking rules relating to salary related contracted-out pension schemes) (article 3).

The impact on business of provisions in the Child Support, Pensions and Social Security Act 2000 is detailed in the Regulatory Impact Assessment 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)), the Child Support, Pensions and Social Security Act 2000 (Commencement No.2) Order 2000 (S.I. 2000/2950 (C.87))(a), the Child Support, Pensions and Social Security Act 2000 (Commencement No.3) Order 2000 (S.I. 2000/2994 (C.94)), the Child Support, Pensions and Social Security Act 2000 (Commencement No.4) Order 2000 (S.I. 2000/3166 (C.101)), the Child Support, Pensions and Social Security Act 2000 (Commencement No.5) Order 2000 (S.I. 2000/3354 (C.112)), the Child Support, Pensions and Social Security Act 2000 (Commencement No.6) Order 2001 (S.I. 2001/153 (C.8)) and the Child Support, Pensions and Social Security Act 2000 (Commencement No.7) Order 2001 (S.I. 2001/774 (C.28)).

<i>Provision</i>	<i>Date of commencement</i>	<i>S.I. No.</i>
* (b) Section 1(3)	10th November 2000	2000/2994
*Sections 3 to 5	10th November 2000	2000/2994
*Section 6	10th November 2000	2000/2994
*Section 7	10th November 2000	2000/2994
	1st January 2001	2000/2994
*Sections 9 and 10	10th November 2000	2000/2994
Section 11	15th February 2001	2000/3354
Sections 13 to 15	31st January 2001	2000/3354
Sections 16 and 17	10th November 2000	2000/2994
	2nd April 2001	2000/3354
*Sections 18 to 21	10th November 2000	2000/2994
Section 22(1) and (2)	31st January 2001	2000/3354
Section 22(3)	10th November 2000	2000/2994
	31st January 2001	2000/3354
*Section 25	10th November 2000	2000/2994
*Section 26	10th November 2000	2000/2994
	1st January 2001	2000/2994
	31st January 2001	2000/3354
Section 27	10th November 2000	2000/2994
	1st January 2001	2000/2994
*Section 29	10th November 2000	2000/2994
Sections 30 and 31	8th January 2001	2000/2950
		2000/3166
	25th January 2001	2001/153
	6th April 2002	2001/153
Section 32	8th January 2001	2000/2950
		2000/3166
	9th April 2001	2001/153
Section 33(1) and (2)	8th January 2001	2000/2950
		2000/3166
	25th January 2001	2001/153
	6th April 2002	2001/153
Section 33(3) and (4)	8th January 2001	2000/2950
		2000/3166
	25th January 2001	2001/153
Sections 34 and 35	8th January 2001	2000/2950
		2000/3166
	25th January 2001	2001/153
	6th April 2002	2001/153
Section 36	1st November 2000	2000/2950
Section 37	1st December 2000	2000/3166
Section 40	8th January 2001	2000/3166
Section 41	29th September 2000	2000/2666

(a) S.I. 2000/2950 (C.87) was amended by article 3 of S.I. 2000/3166 (C.101).

(b) In this note an asterisk indicates that the provision or provisions in the entry to which it relates has or have been commenced in part, or for certain purposes only.

<i>Provision</i>	<i>Date of commencement</i>	<i>S.I. No.</i>
Section 42	1st December 2000	2000/3166
	1st January 2001	2000/3166
Section 51	1st December 2000	2000/3166
*Section 52	1st January 2001	2000/3166
Section 53	1st December 2000	2000/3166
*Section 56	1st November 2000	2000/2950
	1st January 2001	2000/3166
	12th February 2001	2000/3166
	1st June 2001	2000/3166
Sections 57 and 58	15th November 2000	2000/2994
	9th April 2001	2000/2994
Section 59	1st January 2001	2000/2994
Section 60	9th April 2001	2000/2994
Section 61	1st January 2001	2000/2994
*Sections 62 to 65	1st December 2000	2000/2950
*Sections 67 to 69	1st November 2000	2000/2950
*Section 71	1st November 2000	2000/2950
Section 72	9th October 2000	2000/2666
Section 73	1st November 2000	2000/2950
	1st December 2000	2000/2950
		2000/3166
Sections 82 and 83	1st April 2001	2001/774
*Schedule 1	10th November 2000	2000/2994
*Schedule 2	10th November 2000	2000/2994
Schedule 3—		
*paragraph 11(2)	31st January 2001	2000/3354
paragraph 11(17)	1st January 2001	2000/2994
*paragraph 11(18)	10th November 2000	2000/2994
Schedule 4	8th January 2001	2000/2950
		2000/3166
	25th January 2001	2001/153
	6th April 2002	2001/153
Schedule 5—		
Part I—		
paragraphs 1 to 3, 7, 8(2), 9 and 12(1)	1st January 2001	2000/3166
paragraph 10	1st November 2000	2000/2950
Part II	12th February 2001	2000/3166
	1st June 2001	2000/3166
Schedule 6—		
*paragraph 1	1st November 2000	2000/2950
paragraph 7	1st November 2000	2000/2950
*paragraph 8	1st November 2000	2000/2950
Schedule 7—		
*paragraphs 1, 3, 4, 6, 8 to 10, 12 to 16, 19, 20, 21 and 23	1st November 2000	2000/2950
Schedule 8	1st April 2001	2001/774
Schedule 9—		
Part II	8th April 2001	2001/153
Part III—		
Section (3)	1st December 2000	2000/3166
Sections (4) to (9)	1st January 2001	2000/3166
Part IV	9th April 2001	2000/2994
Part IX	1st April 2001	2001/774

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