
STATUTORY INSTRUMENTS

2002 No. 1222 (C.32)

SOCIAL SECURITY

**The Social Security Fraud Act 2001
(Commencement No. 5) Order 2002**

Made - - - - *29th April 2002*

The Secretary of State for Work and Pensions, in exercise of the powers conferred on him by section 20(1) of the Social Security Fraud Act 2001⁽¹⁾ 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 Fraud Act 2001 (Commencement No. 5) Order 2002.

(2) In this Order, references to “the Act” are to the Social Security Fraud Act 2001.

Appointed day

2. The day appointed for the coming into force of—

- (a) subsections (1) to (3) and (5) to (8) of section 1 (additional powers to obtain information),
- (b) section 2 (electronic access to information),
- (c) section 4 (arrangements for payments in respect of information),
- (d) section 6 (exchange of information by authorities administering benefit),
- (e) section 14 (delegation of functions),
- (f) section 15 (colluding employers),
- (g) section 17 (time limit for proceedings in Scotland),
- (h) section 18 (meaning of “the Administration Act”), and
- (i) section 19 (repeals)

of the Act is 30th April 2002.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Signed by authority of the Secretary of State for Work and Pensions

29th April 2002

Ian McCartney
Minister of State
Department for Work and Pensions

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for the coming into force of further provisions of the Social Security Fraud Act 2001 (“the Fraud Act”) on 30th April 2002:

- section 1 (subsections (4) and (9) of which were commenced on 26th February 2002) provides additional powers for obtaining information, while sections 2 and 4 make provision for electronic access to, and for payments in respect of, information;
- section 6 enables the Secretary of State to give directions to local authorities in relation to the supply by them of housing benefit information;
- sections 14 and 15 relate to provision for civil penalties as an alternative to prosecution for benefit offences;
- section 17 removes the time limit for proceedings in Scotland for an offence under section 111A of the Social Security Administration Act 1992 (“the 1992 Act”);
- section 18 provides for abbreviated references to the 1992 Act within the Fraud Act; and
- section 19 provides for the repeal of enactments mentioned in the Schedule to the Fraud Act.

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 Fraud Act 2001 (Commencement No. 1) Order 2001 ([S.I. 2001/3251 \(C. 105\)](#)), the Social Security Fraud Act 2001 (Commencement No. 2) Order 2001 ([S.I. 2001/3689 \(C. 119\)](#)), the Social Security Fraud Act 2001 (Commencement No. 3) Order 2002 ([S.I. 2002/117 \(C. 2\)](#)) and the Social Security Fraud Act 2001 (Commencement No. 4) Order 2002 ([S.I. 2002/403 \(C. 10\)](#)).

<i>Provision of Social Security Fraud Act 2001</i>	<i>Date of Commencement</i>	<i>S.I. Number</i>
Section 1(4) and (9)	26th February 2002	2002/403 (C. 10)
Section 3	28th January 2002	2002/117 (C. 2)
Sections 7 to 11 and 13 (partially)	17th November 2001	2001/3689 (C. 119)
Sections 7 to 13	1st April 2002	2001/3689 (C. 119)
Section 16	26th September 2001 and 18th October 2001	2001/3251 (C. 105)