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STATUTORY INSTRUMENTS

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**2000 No. 1047 (C. 29)**

**PENSIONS  
SOCIAL SECURITY  
FAMILY LAW**

**The Welfare Reform and Pensions Act  
1999 (Commencement No. 4) Order 2000**

*Made - - - - 13th April 2000*

The Secretary of State for Social Security, in exercise of powers conferred on him by sections 83(1) and 89(1) and (6) of the Welfare Reform and Pensions Act 1999<sup>(1)</sup>, 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 Welfare Reform and Pensions Act 1999 (Commencement No. 4) Order 2000.

(2) In this Order, references to “the Act” are references to the Welfare Reform and Pensions Act 1999, and, except where the context otherwise requires, references to sections and Schedules are references to sections of, and Schedules to, the Act.

**Appointed days**

2.—(1) The day appointed for the coming into force of section 69 of the Act (child benefit: claimant to state national insurance number)—

- (a) for the purpose of the exercise of powers to make regulations, is 17th April 2000; and
- (b) for all other purposes, is 15th May 2000.

(2) The day appointed—

- (a) for the coming into force of the provisions of the Act specified in Part I of the Schedule to this Order—
  - (i) for the purpose of the exercise of powers to make regulations, is 24th April 2000, and
  - (ii) for all other purposes, is 9th April 2001;

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- (b) for the coming into force of the provisions of the Act specified in Part II of that Schedule, is 25th April 2000;
- (c) for the coming into force of the provisions of the Act specified in Part III of that Schedule, in so far as not already in force, is 1st October 2000;
- (d) for the coming into force of the provisions of the Act specified in Part IV of that Schedule, in so far as not already in force, is 1st December 2000; and
- (e) for the coming into force of the provisions of the Act specified in Part V of that Schedule, in so far as not already in force, is 8th October 2001.

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

13th April 2000

*Jeff Rooker*  
Minister of State,  
Department of Social Security

SCHEDULE

Article 2(2)

PROVISIONS OF THE ACT BROUGHT INTO FORCE BY ARTICLE 2(2) OF THIS ORDER

PART I

PROVISIONS BROUGHT INTO FORCE ON 24th APRIL 2000 FOR THE PURPOSE OF MAKING REGULATIONS AND 9th APRIL 2001 FOR ALL OTHER PURPOSES

<i>Provision of the Act</i>	<i>Subject matter</i>
Section 54	Bereavement payments
Section 55	new allowances for bereaved spouses
Section 56	entitlement to Category B retirement pension by reference to new allowances
Part I of Schedule 8, and section 70 in so far as it relates to that Part	minor and consequential amendments—bereavement benefits
Part V of Schedule 13 in respect of the repeals specified below, and section 88 in so far as it relates to them—	repeals—
in section 617 of the Income and Corporation Taxes Act 1988,(2) in subsection (1)(a) the words “widow’s payments,”, and subsection (6)	social security benefits and contributions—widow’s payments
in the Social Security Contributions and Benefits Act 1992,(3) section 20(1)(e)(i)	description of contributory benefits—widow’s payment
in the Social Security Act 1998,(4) paragraph 78 of Schedule 7	late claims for widowhood benefit

PART II

PROVISIONS BROUGHT INTO FORCE ON 25th APRIL 2000

<i>Provision of the Act</i>	<i>Subject matter</i>
Schedule 2 in the respects specified below, and section 18 so far as it relates to them—	pensions: miscellaneous amendments—
Paragraph 3	inclusion of self-employed in personal pension schemes
Paragraph 4	reevaluation of earnings factors
Paragraph 8	payment of contributions by Secretary of State

(2) 1988 c. 1.  
 (3) 1992 c. 4.  
 (4) 1998 c. 14.

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<i>Provision of the Act</i>	<i>Subject matter</i>
Paragraphs 9 to 11	supervision by Occupational Pensions Regulatory Authority
Paragraph 12	institutions who may hold deposits
Paragraph 13	annual increase in pension
Paragraph 15	improper treatment of excess assets
Paragraph 16	reports of Pensions Compensation Board
Paragraph 17	diligence against pensions: Scotland
Paragraph 18	rounding of pensionable service
Paragraph 19	employment rights for directors of corporate trustees
Paragraphs 73 and 75 of Schedule 12, and section 84(1) so far as it relates to them	treatment for income tax purposes of payments made by virtue of section 79
Part I of Schedule 13 in respect of the repeals specified below, and section 88 so far as it relates to them—	repeals: pensions (miscellaneous)—
in the Pension Schemes Act 1993 <sup>(5)</sup> , the repeals in sections 73(2)(a)(ii), 96(2)(a) and 181(1)	short service benefit, option to take cash equivalent; definitions
in the Pensions Act 1995 <sup>(6)</sup> the repeal in section 8(4)	appointment of trustees
the repeals in section 126(1) of the Scotland Act 1998 <sup>(7)</sup>	definitions

### PART III

#### PROVISIONS BROUGHT INTO FORCE ON 1st OCTOBER 2000

<i>Provision of the Act</i>	<i>Subject matter</i>
Section 1	meaning of “stakeholder pension scheme”
Section 2	registration of stakeholder pension schemes
Section 7	reduced rates of contributions etc.
Section 8, except the definition of “designated scheme”	interpretation, and application of Part I
Schedule 1 except sub-paragraph (3) of paragraph 1, and section 6(3) except in so far as it relates to that sub-paragraph	application of enactments

<sup>(5)</sup> 1993 c. 48.

<sup>(6)</sup> 1995 c. 26.

<sup>(7)</sup> 1998 c. 46.

## PART IV

## PROVISIONS BROUGHT INTO FORCE ON 1st DECEMBER 2000

<i>Provision of the Act</i>	<i>Subject matter</i>
Section 20	orders in Scotland
Section 23	supply of pension information in connection with divorce etc.
Section 24	charges by pension arrangements in relation to earmarking orders
Section 26	interpretation of Part III
Section 27 to 46	sharing of rights under pension arrangements
Section 47 to 51	sharing of state scheme rights
Section 85(5)	transitional provisions
Schedule 5	pension credits: mode of discharge
Schedule 6	effect of state pension debits and credits
Schedule 8, paragraph 33, and section 70 so far as it relates to that paragraph	minor and consequential amendments—retirement pensions
Schedule 12, paragraphs 5 to 7, 8(1), (2), (5), (6), 9, 11, 12, 14 to 22, 23 to 27, 28 to 42 and 43 to 63 and section 84(1) so far as it relates to those paragraphs	consequential amendments to the Family Law (Scotland) Act 1985(8), the Social Security Contributions and Benefits Act 1992(9), the Social Security Administration Act 1992(10), the Pension Schemes Act 1993(11) and the Pensions Act 1995(12)
Schedule 13, Part II in respect of the repeals in the Family Law (Scotland) Act 1985, and Part III, and section 88 so far as it relates to those repeals and to that Part III	repeals—pension sharing

## PART V

## PROVISIONS BROUGHT INTO FORCE ON 8th OCTOBER 2001

<i>Provision of the Act</i>	<i>Subject matter</i>
Section 3	duty of employers to facilitate access to stakeholder pension schemes
Section 4	obtaining information
Section 5	powers of inspection

(8) 1985 c. 37.

(9) 1992 c. 4.

(10) 1992 c. 5.

(11) 1993 c. 48.

(12) 1995 c. 26.

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<i>Provision of the Act</i>	<i>Subject matter</i>
Section 6(1), (2) and (4)	application of enactments
Section 8(1) as it relates to the definition of “designated scheme”	interpretation
in Schedule 1, sub-paragraph (3) of paragraph 1, and section 6(3) in so far as it relates to that sub-paragraph	application of section 47(9) of Pensions Act 1995 (professional advisers)

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force provisions of the Welfare Reform and Pensions Act 1999 (“the Act”) as follows:

Section 69 of the Act (which provides for entitlement to child benefit to be conditional on the claimant’s stating, or providing information about, or applying for, his national insurance number) is brought into force on 17th April 2000, for the purpose of exercising powers to make regulations, and on 15th May 2000 for all other purposes (article 2(1)).

Sections 54 to 56 of the Act (which make provision in connection with bereavement benefits), and related provisions in Schedules 8 and 13 to the Act, are brought into force on 24th April 2000, for the purpose of exercising powers to make regulations, and on 9th April 2001 for all other purposes (Part I of the Schedule to this Order).

Certain provisions of Schedule 2 to the Act (which contains miscellaneous amendments of the law relating to pensions) and two provisions of Schedule 12 to the Act (concerned with the treatment for income tax purposes of payments made by virtue of section 79 of the Act, as specified in Part II of the Schedule to this Order, are brought into force on 25th April 2000.

Part I of the Act (which introduces arrangements for stakeholder pension schemes) is brought into force on 1st October 2000, in the case of provisions specified in Part III of the Schedule to this Order, and on 8th October 2001, as respects all of its remaining provisions (Part V of that Schedule).

Sections 20, 23, 24 and 26 of the Act (which make provision in connection with the treatment of pensions on divorce or on annulment of marriage), Part IV of the Act (which introduces arrangements for the sharing of pensions) and related consequential amendments and repeals in Schedules 8, 12 and 13 to the Act, are brought into force on 1st December 2000 (Part IV of the Schedule).

An assessment of the cost to business of the commencement of provisions in the Welfare Reform and Pensions Act 1999 is detailed in the Regulatory Impact Assessment of that Act. A copy of the Assessment has been placed in the libraries of both Houses of Parliament. Copies of the Assessment are available 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 Welfare Reform and Pensions Act 1999 (Commencement No. 1) Order 1999 (S.I. 1999/3309) (C. 88),
- the Welfare Reform and Pensions Act 1999 (Commencement No. 2) Order 1999 (S.I. 1999/3420) (C. 92), or
- the Welfare Reform and Pensions Act 1999 (Commencement No. 3) Order 2000 (S.I. 2000/629) (C. 13)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
section 10	3rd April 2000	2000/629
section 53	12th January 2000 and 2nd April 2000	1999/3309
section 61	3rd April 2000	1999/3309
section 66	12th January 2000	1999/3309
section 67(1) and (2)	12th January 2000	1999/3309
Schedule 8 in the following respects, and section 70 in so far as it relates to them:		
paragraph 23(1), (2) and (4)	13th December 1999	1999/3309
paragraph 23(3)	3rd April 2000	1999/3309
paragraph 24	3rd April 2000	1999/3309
paragraphs 30 to 32 (partially)	12th January 2000 and 2nd April 2000	1999/3309
section 73 and Schedule 9	22nd December 1999 and 6th April 2000	1999/3420
section 74 and Schedule 10	22nd December 1999 and 6th April 2000	1999/3420
sections 75 and 76	22nd December 1999	1999/3420
sections 77 and 78	6th April 2000	1999/3420
Schedule 12 in the following respects, and section 84(1) in so far as it relates to them:		
paragraph 74	6th April 2000	1999/3420
paragraphs 76 to 78	6th April 2000	1999/3420
paragraphs 84 to 86	6th April 2000	1999/3420
Schedule 13 in the following respects, and section 88 in so far as it relates to them:		

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Part V (partially)	2nd April 2000	<a href="#">1999/3309</a>
Parts VI and VII	6th April 2000	<a href="#">1999/3420</a>