

2000 No. 374 (C. 18)

CHILD SUPPORT

PENSIONS

SOCIAL SECURITY

**The Child Support, Pensions and Social Security (2000 Act)
(Commencement No. 2) Order (Northern Ireland) 2000**

Made 30th November 2000

The Department for Social Development, in exercise of the powers conferred on it by section 68(2)(a) of the Child Support, Pensions and Social Security Act (Northern Ireland) 2000(a) and of all other powers enabling it 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 (2000 Act) (Commencement No. 2) Order (Northern Ireland) 2000.

(2) In this Order “the Act” means the Child Support, Pensions and Social Security Act (Northern Ireland) 2000.

Appointed days

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

- (a) the provisions of the Act specified in Part I of the Schedule, is 1st December 2000;
- (b) section 38 of the Act (disclosure of state pension information)—
 - (i) for the purpose only of authorising the making of regulations, is 1st December 2000, and
 - (ii) for all other purposes, is 1st January 2001;
- (c) the provisions of the Act specified in Part II of the Schedule, is 1st January 2001;
- (d) section 36 of the Act (home responsibilities protection), is 8th January 2001; and
- (e) Part II of Schedule 5 to the Act (pensions: alternative to anti-franking rules) and section 52 of the Act in so far as it relates to that Part—

- (i) for the purpose only of authorising the making of regulations or orders, is 12th February 2001, and
- (ii) for all other purposes, is 1st June 2001.

*Amendment of the Child Support, Pensions and Social Security (2000 Act)
(Commencement No. 1) Order*

3. In Article 2(e) of the Child Support, Pensions and Social Security (2000 Act) (Commencement No. 1) Order (Northern Ireland) 2000^(a) (appointed days) and in the heading to Part IV of the Schedule to that Order for “orders” there shall be substituted “an order appointing the first or second appointed year”^(b).

Sealed with the Official Seal of the Department for Social Development
on 30th November 2000.

(L.S.)

John O'Neill

Senior Officer of the Department for Social Development

(a) S.R. 2000 No. 358 (C. 16)

(b) See section 33(14) of the Child Support, Pensions and Social Security Act (Northern Ireland) 2000 which inserted the definitions of “first appointed year” and “second appointed year” into section 121(1) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 (c. 7)

PART I

Provisions coming into operation on 1st December 2000

| <i>Provisions of the Act</i> | <i>Subject Matter</i> |
|--|--|
| Section 47 | Restriction on index-linking where annuity tied to investments |
| Section 49 | Jurisdiction of the Pensions Ombudsman |
| The following repeals in Part III(3) of Schedule 9 and section 67 in so far as it relates to them— the Pension Schemes (Northern Ireland) Act 1993(a)— in section 142— (a) in subsection (1)(c), the words “which arises” and the words from “and which” to “beneficiary, and”; (b) in subsection (1)(d), the words “which arises”; and (c) subsection (3A) | Repeals |

(a) 1993 c. 49

PART II

Provisions coming into operation on 1st January 2001

| <i>Provisions of the Act</i> | <i>Subject Matter</i> |
|---|---|
| Section 48 except in so far as it inserts subsection (3B) into section 109 of the Pension Schemes Act | Information for members of schemes, etc. |
| The following paragraphs of Schedule 5 and section 52 in so far as it relates to them— | Pensions: miscellaneous amendments |
| paragraph 1 | Guaranteed minimum for widows and widowers |
| paragraph 2 | Transfer of rights to overseas personal pension schemes |
| paragraph 3 | Protected rights |
| paragraph 4 | Use of cash equivalent for annuity |
| paragraph 5(2) | Transfer values where pension in payment |
| paragraph 6 | Information about contracting-out |
| paragraph 10(1) | Duties relating to statements of contributions |
| Schedule 9, Part III(4) to (8) and section 67 in so far as it relates to those repeals | Repeals |

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order provides for the coming into operation of provisions of the Child Support, Pensions and Social Security Act (Northern Ireland) 2000 as follows—

1st December 2000 for provisions relating to restrictions on index-linking and jurisdiction of the Pensions Ombudsman and consequential repeals;

1st December 2000 for certain provisions relating to the disclosure of state pension information for the purpose only of authorising the making of regulations, and for all other purposes from 1st January 2001;

1st January 2001 for provisions relating to information for members of schemes;

8th January 2001 for provisions relating to the treatment of persons precluded from regular employment by responsibilities at home; and

12th February 2001 for provisions relating to an alternative to anti-franking rules for the purpose only of authorising the making of regulations or orders, and for all other purposes from 1st June 2001.

Article 3 makes a minor amendment to the Child Support, Pensions and Social Security (2000 Act) (Commencement No. 1) Order (Northern Ireland) 2000 regarding the purpose for which provisions relating to state second pension are brought into operation.

The impact on business of the commencement of provisions in the Child Support, Pensions and Social Security Act (Northern Ireland) 2000 is detailed in the Regulatory Impact Assessment relating to the Child Support, Pensions and Social Security Bill. A copy of that Assessment may be obtained, free of charge, from Social Security Policy and Legislation Division, Castle Buildings, Stormont, Belfast BT4 3SQ.

NOTE AS TO EARLIER COMMENCEMENT ORDER

(This note is not part of the Order.)

The following provisions of the Child Support, Pensions and Social Security Act (Northern Ireland) 2000 have been brought into operation by the Child Support, Pensions and Social Security (2000 Act) (Commencement No. 1) Order (Northern Ireland) 2000 (S.R. 2000 No. 358 (C. 16)) as from the dates shown.

| <i>Provision</i> | <i>Date of Commencement</i> |
|--|-----------------------------|
| Sections 1(3), 3 to 7, 9, 10, 16 to 20, 21(3), 24 to 26 and 28 (partially) | 22.11.2000 |
| Sections 7, 25 and 26 (partially) | 1.1.2001 |
| Sections 29 to 33 (partially) | 8.1.2001 |
| Section 37 | 22.11.2000 |
| Sections 52, 58 to 60 and 62 (partially) | 22.11.2000 |
| Sections 63 and 64 | 22.11.2000 |
| Section 67 (partially) | 22.11.2000 |
| Schedules 1 and 2 (partially) | 22.11.2000 |
| Schedule 3 (partially) | 22.11.2000 and 1.1.2001 |
| Schedule 4 (partially) | 8.1.2001 |
| Schedules 5 to 7 and 9 (partially) | 22.11.2000 |

£2.00

Published by The Stationery Office Limited

Printed in the UK by The
Stationery Office Limited
under the authority and
superintendence of Carol
Tullo, Controller of
Her Majesty's Stationery
Office being the Government
Printer for Northern Ireland and
the Officer appointed to print the
Acts of the Northern Ireland Assembly
Dd. 0044. C3. 12/00. Gp. 130. 14567.