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STATUTORY INSTRUMENTS

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**1999 No. 528 (C.12)**

**SOCIAL SECURITY  
FAMILY LAW**

**CHILD SUPPORT**

**The Social Security Act 1998  
(Commencement No. 5) Order 1999**

*Made* - - - - *3rd March 1999*

The Secretary of State for Social Security, in exercise of the powers conferred on him by sections 79(3) and (4) and 87(2) of the Social Security Act 1998<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 Social Security Act 1998 (Commencement No. 5) Order 1999.

(2) In this Order, except where the context otherwise requires, references to sections and Schedules are references to sections of and Schedules to the Social Security Act 1998.

**Appointed day**

2. 4th March 1999 is the appointed day for the coming into force of—

- (a) the provisions of the Social Security Act 1998 which are specified in the Schedule to this Order in so far as they authorise the making of regulations; and
- (b) paragraph 104 of Schedule 7 to that Act and section 86(1) in so far as it relates to that paragraph.

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

3rd March 1999

*Hugh Bayley*  
Parliamentary Under-Secretary of State,  
Department of Social Security

## SCHEDULE

Article 2(a)

Provisions conferring powers to make regulations commenced by this Order.

<i>Column (1)</i> <i>Provisions of the Social Security Act 1998</i>	<i>Column (2)</i> <i>Subject Matter</i>
Section 6(3)	Qualifications for appointment to Lord Chancellor's Panel
Section 7(6)	Constitution of appeal tribunals
Section 9(1), (4) and (6)	Revision of decisions
Section 10(3) and (6)	Decisions superseding earlier decisions of the Secretary of State and appeal tribunals
Section 11(1)	Regulations with respect to decisions
Section 12(2), (3), (6) and (7)	Appeals to appeal tribunals
Section 14(3), (10) and (11)	Appeal from tribunal to Commissioner
Section 15(2) and (3)	Appeal from Commissioner on point of law
Section 16(1) to (3) and (9) and Schedule 5	Procedure
Section 17	Finality of decisions
Section 18(1)	Matters arising as respects decisions
Section 20	Medical examination required by appeal tribunal
Section 21	Suspension in prescribed circumstances
Section 22	Suspension for failure to disclose information
Section 23	Termination for failure to disclose
Section 24	Consequences of refusal to submit to medical examination
Section 25(3)(b) and (5)(c)	Decisions involving issues that arise on appeal in other cases
Section 26(6)(c)	Appeals involving issues that arise on appeal in other cases
Section 28	Correction of errors and setting aside of decisions
Section 31(2) and (3)	Incapacity for work
Section 38(1)(a) and (3)	Review of social fund determinations
Section 41 in so far as it substitutes section 17(3) and (5) to the Child Support Act 1991	Child support decisions superseding earlier decisions
Section 42 in so far as it substitutes section 20(4), (5) and (6) of the Child Support Act 1991	Child support appeals to appeal tribunals

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<i>Column (1)</i> <i>Provisions of the Social Security Act 1998</i>	<i>Column (2)</i> <i>Subject Matter</i>
Section 43 in so far as it inserts sections 28ZA(2)(b) and (4)(c) and 28ZB(6)(c) into the Child Support Act 1991	Child support decisions and appeals dependent on other cases
Section 44 in so far as it inserts section 28ZD into the Child Support Act 1991	Restrictions on liability for child support in certain cases of error, correction of errors and setting aside of decisions
Section 45 in so far as it inserts section 3A(1), (3) and (4) into the Vaccine Damage Payments Act 1979	Amendments to the Vaccine Damage Payments Act 1979; Decisions reversing earlier decisions
Section 46 in so far as it substitutes section 4(2) and (3) of the Vaccine Damage Payments Act 1979	Vaccine Damage Payments Act 1979, appeals
Section 47 which inserts section 7A into the Vaccine Damage Payments Act 1979	Vaccine Damage Payments Act 1979, correction of errors and setting aside decisions
Section 74 which inserts section 5(1)(hh) into the Social Security Administration Act 1992	Provision of information
Schedule 1 paragraphs 7, 11 and 12 and section 7(7) in so far as it relates to them	Appeal tribunals supplementary provisions
Schedule 2 paragraph 9 and section 12(1) in so far as it relates to it	Decisions against which no appeal lies
Schedule 3 paragraphs 1, 4 and 9 and section 12(1) in so far as it relates to them	Decisions against which an appeal lies
Schedule 4 paragraphs 6 and 8 and section 14(12) in so far as it relates to them	Social Security Commissioners
Schedule 7 as respects the paragraphs specified below and section 86(1) in so far as it relates to them—	Finality of decisions under the Vaccine Damage Payments Act 1979
Paragraph 8	
Paragraph 9	Amendment of section 8(3) of the Vaccine Damage Payments Act 1979, regulations
Paragraph 35(2)	Decisions revising or superseding a decision as to maintenance
Paragraph 39	Substitutes section 28H of the Child Support Act 1991, departure directions
Paragraphs 40 and 43(3)	Amendments as respects contributions to maintenance and reduced benefit directions
Paragraph 44 in so far as it relates to the insertion of sections 46A(2) and 46B in the Child Support Act 1991	Finality of decisions and matters arising as respects decisions
Paragraph 46 in so far as it is not already in force	Supplementary powers for regulations under section 51 Child of the Support Act 1991

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<i>Column (1)</i> <i>Provisions of the Social Security Act 1998</i>	<i>Column (2)</i> <i>Subject Matter</i>
Paragraph 52(4) which substitutes paragraph 6(2) of Schedule 4 to the Child Support Act 1991	Finality of certain findings of fact
Paragraph 53(5)	Joint consideration of departure applications and appeals
Paragraph 54 inserting Schedule 4C into the Child Support Act 1991	Decisions and appeals: departure directions and reduced benefit directions
Paragraph 121	Tribunals under direct control of Council on Tribunals
Paragraph 131	Substitution of section 170 of the Pension Schemes Act 1993, decisions and appeals
Paragraph 149(1)	Substitution of section 10(1) the Social Security (Recovery of Benefits) Act 1997

### EXPLANATORY NOTE

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

This Order provides for the coming into force on 4th March 1999 of powers provided in the Social Security Act 1998 which are specified in the Schedule to this Order enabling Regulations to be made relating to the decision making and appeals under the specified enactments.

This Order does not impose a charge on businesses.

### 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 Act 1998 (Commencement No.1) Order 1998 ([S.I. 1998/2209](#)), the Social Security Act 1998 (Commencement No.2) Order 1998 ([S.I. 1998/2780](#)), the Social Security Act 1998 (Commencement No.3) Order 1999 ([S.I. 1999/418](#)) and the Social Security Act 1998 (Commencement No. 4) Order 1999 ([S.I. 1999/526](#)).

<i>Provision of Social Security Act 1998</i>	<i>Date of Commencement</i>	<i>S.I. Number</i>
Section 2 (except section 2(2)(a))	8th September 1998	<a href="#">11998/2209</a>
Section 3	8th September 1998	<a href="#">1998/2209</a>
Section 16(4) and (5)	8th September 1998 and	

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<i>Provision of Social Security Act 1998</i>	<i>Date of Commencement</i>	<i>S.I. Number</i>
	6th April 1999	1998/2209
Section 40	16th November 1998 and 7th December 1998	1998/2780
Section 48	8th September 1998	1998/2209
Section 49	8th September 1998	1998/2209
Section 50(1) (partially)	8th September 1998	1998/2209
Section 51	23rd February 1999 and 6th April 1999	1999/418
Section 52	8th September 1998	1998/2209
Section 53	8th September 1998 and 6th April 1999	1998/2209
Section 54	4th March 1999 and 6th April 1999	1999/526
Section 55	8th September 1998	1998/2209
Section 56(1)	6th April 1999	1999/526
Section 56(2)	4th March 1999 and 6th April 1999	1999/526
Section 57	4th March 1999 and 6th April 1999	1999/526
Section 59	8th September 1998	1998/2209
Section 60	4th March 1999 and 6th April 1999	1999/526
Section 61 (partially)	4th March 1999 and 6th April 1999	1999/526
Section 62	6th April 1999	1999/526
Section 63	4th March 1999 and 6th April 1999	1999/526
Section 64	6th April 1999	1999/526
Section 65	8th September 1998 and 6th April 1999	1998/2209
Section 68	8th September 1998	1998/2209
Section 73	6th April 1999	1998/2209
Section 75	5th October 1998	1998/2209
Section 76	16th November 1998	1998/2780
Section 86(2) and Schedule 8 (partially)	8th September 1998 and	1998/2209

<i>Provision of Social Security Act 1998</i>	<i>Date of Commencement</i>	<i>S.I. Number</i>
	6th April 1999	
Schedule 7 in the respects specified below and section 86(1) in so far as it relates to them—	6th April 1999	1999/418
paragraph 16		
paragraph 27(a)	8th September 1998	1998/2209
paragraph 46(a)	16th November 1998	1998/2780
paragraph 49	8th September 1998	1998/2209
paragraph 56	8th September 1998 and	
	6th April 1999	1998/2209
paragraph 57	6th April 1999	1998/2209
paragraph 58(1)	6th April 1999	1999/418
paragraph 58(2)	6th April 1999	1998/2209
paragraphs 59 to 61	6th April 1999	1999/418
paragraph 71(b), (c) and (e)	6th April 1999	1999/418
paragraph 71(d)	8th September 1998 and	
	6th April 1999	1998/2209
paragraphs 74, 75 and 77(2) to (5)	6th April 1999	1999/418
paragraph 77(1), (6) to (9), (11), (12) and (14) to (16)	8th September 1998 and	
	6th April 1999	1998/2209
paragraph 85	6th April 1999	1999/526
paragraph 86	6th April 1999	1998/2209
paragraph 87	6th April 1999	1999/526
paragraph 90	6th April 1999	1999/418
paragraph 91	8th September 1998 and	
	6th April 1999	1998/2209
paragraphs 92 to 94	6th April 1999	1999/418
paragraph 99	8th September 1998 and	
	6th April 1999	1998/2209
		1999/418
		1999/526

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<i>Provision of Social Security Act 1998</i>	<i>Date of Commencement</i>	<i>S.I. Number</i>
paragraph 100	6th April 1999	1998/2209 1999/526
paragraph 110(1)(a)	8th September 1998 and 6th April 1999	1998/2209
paragraph 110(1)(b)	6th April 1999	1999/418
paragraph 114	8th September 1998 and 6th April 1999	1998/2209
paragraphs 126 to 128 and 133	6th April 1999	1999/418
Schedule 8 (partially) and section 86(2) in so far as it relates to it	6th April	1999/526