

2011 No. 2427 (c. 86)

SOCIAL SECURITY

Welfare Reform Act 2009 (Commencement No. 5) Order 2011

Made - - - -

5th October 2011

The Secretary of State for Work and Pensions makes the following Order in exercise of the powers conferred by section 61(3) and (4) of the Welfare Reform Act 2009(a).

Citation and interpretation

1.—(1) This Order may be cited as the Welfare Reform Act 2009 (Commencement No. 5) Order 2011.

(2) In this Order—

“the Act” means the Welfare Reform Act 2009.

Appointed day

2.—(1) The day appointed for the coming into force of section 3(2) and (5) (lone parents) of the Act is—

(a) 6th October 2011, for the purpose only of conferring the power to make regulations under section 2A(2B) (claim or full entitlement to certain benefits conditional on work-focused interview) of the Social Security Administration Act 1992(b) and section 24(3B) (interpretation) of the Welfare Reform Act 2007(c); and

(b) 31st October 2011, for all other purposes.

(2) The day appointed for the coming into force of section 3(3) lone parents of the Act is 31st October 2011.

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

5th October 2011

Maria Miller,
Parliamentary Under-Secretary of State
Department for Work and Pensions

(a) 2009 c. 24.

(b) 1992 c. 5.

(c) 2007 c. 5.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force section 3(2) and (5) (lone parents) of the Welfare Reform Act 2009. Those provisions are brought into force on 6th October 2011 for the purpose of making regulations and on 31st October for all other purposes.

Section 3(2) inserts a new subsection (2A) into section 2A of the Social Security Administration Act 1992 so that no work-focused interview requirement can be imposed by virtue of regulations made under that section on a lone parent who is responsible for and a member of the same household as a child under one. It also inserts new subsection (2B) into section 2A, which enables regulations to be made making provision for the circumstances in which one person is to be treated as being or not being responsible for another person, and as being or not being a member of the same household as another person, for the purpose of section 2A(2A).

Section 3(3) amends section 12 of the Welfare Reform Act 2007 so that work-focused interview requirements may not be imposed on an Employment and Support Allowance claimant if they are a lone parent who is responsible for and a member of the same household as a child under the age of one.

Section 3(5) amends section 24 of the Welfare Reform Act 2007 to insert a new definition of “lone parent” into that Act, into Part 1 of that Act in relation to Employment and Support Allowance. It also inserts powers to make provision for the circumstances in which one person is to be treated as being or not being responsible for another person, and as being or not being a member of the same household as another person, for the purpose of the definition of lone parent in section 24(3A).

A full impact assessment has not been produced for this instrument as it has no impact on the private sector and civil society organisations.