

2011 No. 2427 (C.86)

SOCIAL SECURITY

**The 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.

Maria Miller

Parliamentary Under-Secretary of State
Department for Work and Pensions

5th October 2011

(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.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Act have been or will be brought into force by commencement order made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 10	10th February 2010	2010/293
Section 12(1) and (3)	1st October 2010	2010/2377
Section 12(2), (4) and (6)	1st November 2010	2010/2377
Section 13(1)	1st October 2010	2010/2377
Section 13(2) and (3)	1st November 2010	2010/2377
Section 13(4) (for the purpose of conferring the power to make regulations)	1st October 2010	2010/2377
Section 13(4) (for all other purposes)	1st November 2010	2010/2377
Section 14 (for the purpose of conferring the power to make regulations)	11th April 2010	2010/293
Section 14 (partially)	15th October 2010	2010/293
Section 14 (for all other purposes)	11th April 2011	2010/293
Section 24 (for the purpose of conferring the power to make regulations)	12th January 2010	2010/45
Section 24 (for all other purposes)	1st April 2010	2010/45
Section 26	22nd March 2010	2010/293
Section 32(1) (partially)	9th March 2011	2011/682
Section 32(2) (partially)	9th March 2011	2011/682
Section 33 (for the purpose of conferring the power to make regulations)	10th February 2010	2010/293
Section 33 (for all other purposes)	6th April 2010	2010/293
Section 35	10th February 2010	2010/293
Section 55(3) and section 55(1) (in so far as it relates to section 55(3))	14th January 2010	2010/45
Section 58(1) (partially)	22nd March 2010	2010/293
Section 58(1) (partially)	1st April 2010	2010/293
Schedule 4 (for the purpose of conferring the power to make regulations)	12th January 2010	2010/45
Schedule 4 (for all other purposes)	1st April 2010	2010/45
Part 3 of Schedule 7 (partially)	22nd March 2010	2010/293
Part 3 of Schedule 7 (partially)	1st April 2010	2010/293

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STATUTORY INSTRUMENTS

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