

**2012 No. 1651 (C. 62)**

**SOCIAL SECURITY**

**The Welfare Reform Act 2012 (Commencement No. 3, Savings  
Provision) Order 2012**

*Made* - - - -

*26th June 2012*

The Secretary of State for Work and Pensions makes the following Order in exercise of the powers conferred by section 150(3), (4)(a) and (c) of the Welfare Reform Act 2012<sup>(a)</sup>.

**Citation and interpretation**

1. This order may be cited as the Welfare Reform Act 2012 (Commencement No.3, Savings Provision) Order 2012.

**Appointed day**

2. Subject to article 3, 2nd July 2012 is the day appointed for the coming into force of section 133(6) of the Welfare Reform Act 2012.

**Savings provision**

3. Notwithstanding their repeal by section 133(6) of the Welfare Reform Act 2012, the following provisions of the Welfare Reform Act 2007<sup>(b)</sup> continue to have effect on and after 2nd July 2012—

- (a) section 42 (which concerns the use, supply and provision of information) insofar as it permits the use, supply or provision by any person of information which came to that person before that date by virtue of subsection (1), (2) or (5) of that section;
- (b) section 43 (which creates an offence of unlawful disclosure) insofar as it relates to the disclosure by any person of such information; and
- (c) section 69(2)(a) (extent) insofar as necessary to give effect to paragraphs (a) and (b) of this article.

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

26th June 2012

*Freud*  
Parliamentary Under-Secretary of State,  
Department for Work and Pensions

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(a) 2012 c.5.  
(b) 2007 c.5.

## EXPLANATORY NOTE

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

This Order is the third Commencement Order made under the Welfare Reform Act 2012 (“the 2012 Act”). It brings section 133(6) of the 2012 Act into force on 2nd July 2012.

Section 133(6) repeals sections 42, 43 and 69(2)(a) (“the repealed provisions”) of the Welfare Reform Act 2007 (“the 2007 Act”). Section 42 of the 2007 Act makes provision about the use, supply and provision of information relating to certain social security benefits and welfare services. Section 43 makes it an offence to disclose without lawful authority information received under section 42. These sections are replaced by sections 131 and 132 of the 2012 Act respectively. Section 69(2)(a) of the 2007 Act concerns the territorial extent of sections 42 and 43.

These repeals are subject to the savings provision in article 3 of the Order. This provides that the repealed provisions continue to have effect insofar as they concern the use, supply or provision, or unlawful disclosure of, information which came to any person by virtue of section 42(1), (2) or (5) of the 2007 Act before the repeal of that section.

A full impact assessment has not been produced for this instrument as it has no impact on the private sector or 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 orders made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 44(5)	10th June 2012	2012/1246
Section 45	14th October 2012	2012/1246
Section 46(1) and (3) (for the purpose only of exercising any power to make regulations)	10th June 2012	2012/1246
Section 46(2)	10th June 2012	2012/1246
Section 46 (in so far as not already in force)	14th October 2012	2012/1246
Section 47	20th March 2012	2012/863
Section 48 (partially)	14th October 2012	2012/1246
Section 51 (for the purpose only of exercising the power to make regulations in subsection (4))	20th March 2012	2012/863
Section 51 (in so far as not already in force)	1st May 2012	2012/863
Sections 52 and 53	1st May 2012	2012/863
Section 58(1) and (2)	20th March 2012	2012/863
Section 105(1) (partially and for the purpose of exercising certain powers to make regulations)	1st July 2012	2012/1246
Section 105(1) (partially)	1st October 2012	2012/1246
Section 105(4)	1st October 2012	2012/1246
Section 106	1st July 2012	2012/1246
Sections 113 to 115	8th May 2012	2012/863
Section 116(1) (for the purpose only of exercising any power to make regulations)	10th May 2012	2012/1246
Section 116(2)	10th May 2012	2012/1246
Section 116(1) (in so far as not already in	1st October 2012	2012/1246

force)		
Sections 122, 123 and 125(a)	6th June 2012	2012/1246
Sections 128 and 129	20th March 2012	2012/863
Section 130 (for the purpose only of exercising any power to make regulations)	20th March 2012	2012/863
Section 130 (in so far as not already in force)	8th May 2012	2012/863
Section 131 (for the purpose only of exercising any power to make regulations)	20th March 2012	2012/863
Section 131 (in so far as not already in force)	8th May 2012	2012/863
Section 132(8)	20th March 2012	2012/863
Section 132 (in so far as not already in force)	8th May 2012	2012/863
Section 133(1) to (4)	20th March 2012	2012/863
Sections 143 and 144	8th May 2012	2012/863
Section 146	8th May 2012	2012/863
Paragraphs 1, 2, 3, 5, 6, 7, 8, 9, 10(1) and (3), 12, 16(1) and (2)(c) of Schedule 7	14th October 2012	2012/1246
Part 3 of Schedule 14 (partially)	14th October 2012	2012/1246
Part 14 of Schedule 14	8th May 2012	2012/863

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(a) SI 2012/1246 was amended by SI 2012/1440 before section 124 of the Welfare Reform Act 2012 was brought into force.

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STATUTORY INSTRUMENTS

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