
STATUTORY INSTRUMENTS

2013 No. 358 (C. 16)

SOCIAL SECURITY

**The Welfare Reform Act 2012 (Commencement No.8
and Savings and Transitional Provisions) Order 2013**

Made - - - - 19th February 2013

The Secretary of State for Work and Pensions makes the following Order in exercise of the powers conferred by section 150(3) and (4)(a), (b)(iii) and (c) of the Welfare Reform Act 2012 ^{M1}.

Marginal Citations

M1 2012 c.5.

Citation and interpretation

1.—(1) This Order may be cited as the Welfare Reform Act 2012 (Commencement No.8 and Savings and Transitional Provisions) Order 2013.

(2) In this Order—

“the 1992 Act” means the Social Security Administration Act 1992 ^{M2};

“the 2012 Act” means the Welfare Reform Act 2012;

“personal independence payment” means a payment under Part 4 of the 2012 Act.

Marginal Citations

M2 1992 c.5.

Appointed day

2.—(1) 25th February 2013 is the day appointed for the coming into force of the provisions of the 2012 Act listed in Schedule 1 to this Order for the purpose of making Regulations.

(2) 25th February 2013 is the day appointed for the coming into force of the provisions of the 2012 Act listed in Schedule 2 to this Order for all purposes.

Appointed day for purposes relating to the Social Security Advisory Committee

3. 25th February 2013 is the day appointed for the coming into force of the following provisions of the 2012 Act—

- (a) paragraph 26 of Schedule 2 (universal credit: amendments);
- (b) paragraph 3 of that Schedule and section 31 (supplemental and consequential amendments) in so far as they relate to paragraph 26 of that Schedule;
- (c) paragraph 26 of Schedule 9 (personal independence payments: amendments); and
- (d) paragraph 7 of that Schedule and section 91 (amendments) in so far as they relate to paragraph 26 of that Schedule.

Appointed day for provisions relating to payments on account

4.—(1) 1st April 2013 is the day appointed for the coming into force of Part 11 of Schedule 14 to the 2012 Act (repeals) in so far as that Part repeals the following provisions of the 1992 Act—

- (a) section 7(2)(a);
- (b) section 71(7); and
- (c) in section 71(8), “or (7)”.

(2) 1st April 2013 is the day appointed for the coming into force of section 101(2) of the 2012 Act (payments on account).

Appointed day and saving for provisions relating to overpayments

5.—(1) 25th February 2013 is the day appointed for the coming into force of paragraph 7 of Schedule 2 to the 2012 Act (which relates to recovery of benefits), paragraph 3 of Schedule 2 in so far as it relates to paragraph 7 and section 31 of the 2012 Act in so far as it relates to those paragraphs.

(2) 29th April 2013 is the day appointed for the coming into force of the provisions of the 2012 Act mentioned in paragraphs (3) to (5) (which also relate to the recovery of benefit payments).

(3) In relation to section 105 (recovery of benefit payments)—

- (a) [^{F1}subject to paragraph (3A),] subsection (1) of that section, in so far as it is not already in force; except in so far as it inserts section 71ZB(1)(d) of the 1992 Act and the word “and” immediately preceding it;
- (b) subsections (3), (5) and (6) of that section; and
- (c) subsection (7) of that section, in so far as it inserts paragraph 6B of Schedule 3 to the Social Security Act 1998 ^{M3}.

[^{F2}(3A) In so far as section 105(1) of the 2012 Act inserts section 71ZB(1)(b) and (c) of the 1992 Act, those paragraphs come into force on 29th April 2013 only in so far as they relate respectively to a new style JSA award and a new style ESA award.]

(4) In relation to Part 11 of Schedule 14, the repeals of—

- (a) section 71(10A) and (10B) of the 1992 Act; and
- (b) subject to paragraph (6), section 71(11)(aa) and (ac) of the 1992 Act.

(5) Paragraph 9 of Schedule 2, paragraph 3 of Schedule 2 in so far as it relates to paragraph 9 and section 31 in so far as it relates to those paragraphs.

(6) Despite paragraph (4)(b), the benefits referred to in section 71(11)(aa) and (ac) of the 1992 Act remain benefits to which section 71 of the 1992 Act apply to the extent that [^{F3}they relate respectively to an old style JSA award and an old style ESA award].

[^{F4}(7) In this article, “old style JSA award”, “new style JSA award”, “old style ESA award” and “new style ESA award” have the same meaning as in article 2(1) of the Welfare Reform Act 2012 (Commencement No. 9 and Transitional and Transitory Provisions and Commencement No. 8 and Savings and Transitional Provisions (Amendment)) Order 2013.]

- F1** Words in art. 5(3)(a) inserted (24.4.2013) by The Welfare Reform Act 2012 (Commencement No. 9 and Transitional and Transitory Provisions and Commencement No. 8 and Savings and Transitional Provisions (Amendment)) Order 2013 (S.I. 2013/983), **art. 23(2)**
- F2** Art. 5(3A) inserted (24.4.2013) by The Welfare Reform Act 2012 (Commencement No. 9 and Transitional and Transitory Provisions and Commencement No. 8 and Savings and Transitional Provisions (Amendment)) Order 2013 (S.I. 2013/983), **art. 23(3)**
- F3** Words in art. 5(6) substituted (24.4.2013) by The Welfare Reform Act 2012 (Commencement No. 9 and Transitional and Transitory Provisions and Commencement No. 8 and Savings and Transitional Provisions (Amendment)) Order 2013 (S.I. 2013/983), **art. 23(4)**
- F4** Art. 5(7) added (24.4.2013) by The Welfare Reform Act 2012 (Commencement No. 9 and Transitional and Transitory Provisions and Commencement No. 8 and Savings and Transitional Provisions (Amendment)) Order 2013 (S.I. 2013/983), **art. 23(5)**

Marginal Citations

- M3** 1998 c.14.

Appointed days for loss of benefit provisions

6.—(1) 25th February 2013 is the day appointed for the coming into force of the provisions of Schedule 2 to the 2012 Act specified in paragraph (2) (which relate to loss of benefit).

(2) The provisions for the purposes of paragraph (1) are—

- (a) paragraph 58(3) and paragraph 58(1) in so far as it relates to that sub-paragraph;
- (b) paragraph 59(3) and paragraph 59(1) in so far as it relates to that sub-paragraph;
- (c) paragraph 61(2) to (4) and paragraph 61(1) in so far as it relates to those sub-paragraphs; and
- (d) paragraph 63(2) and paragraph 63(1) in so far as it relates to that sub-paragraph.

(3) 25th February 2013 is the day appointed for the coming into force of paragraph 56 of Schedule 2 to, and section 31 of, the 2012 Act in so far as they relate to the paragraphs and sub-paragraphs of Schedule 2 to the 2012 Act specified in paragraph (2) of this article.

(4) 1st April 2013 is the day appointed for the coming into force of the following provisions of the 2012 Act (which also relate to loss of benefit)—

- (a) section 117(2) (benefit offences: disqualifying and sanctionable benefits) and section 117(1) in so far as it relates to section 117(2);
- (b) section 118 (benefit offences: period of sanction) in so far as it is not already in force;
- (c) section 119 (benefit offences: sanctions for repeated benefit fraud); and
- (d) in Schedule 2 (universal credit: amendments)—
 - (i) paragraph 51, paragraph 43 of that Schedule in so far as it relates to paragraph 51 and section 31 in so far as it relates to both those paragraphs; and
 - (ii) paragraphs 57, 58(2) (and paragraph 58(1) in so far as it relates to paragraph 58(2)), 59(2) (and paragraph 59(1) in so far as it relates to paragraph 59(2)) and 62, paragraph 56 in so far as it relates to those paragraphs and sub-paragraphs and section 31 in so far as it relates to the paragraphs and sub-paragraphs mentioned in this paragraph (that is, paragraph (ii) of article 6(4)(d)).

(5) 6th April 2013 is the day appointed for the coming into force of section 117 of the 2012 Act in so far as it is not already in force.

Appointed day for personal independence payment

7.—(1) The day appointed for the coming into force of the provisions of the 2012 Act listed in paragraph (2) is 8th April 2013 in relation to a person whose only or principal residence is, on the date on which that person makes a claim for personal independence payment, located in an area to which one of the postcodes listed in Schedule 3 to this Order corresponds.

(2) The provisions for the purposes of paragraph (1) are—

- (a) section 77(1), (2) and, to the extent that it is not already in force, (3) (personal independence payment);
- (b) section 78(1), (2), (5) and (6) (daily living component);
- (c) section 79(1), (2), (5) and (6) (mobility component);
- (d) section 82 (terminal illness);
- (e) section 83(1), (2) and, to the extent that it is not already in force, (3) (persons of pensionable age);
- (f) section 84 (no entitlement to daily living component where UK is not competent state);
- (g) section 87 to the extent that it is not already in force (prisoners and detainees);
- (h) section 88 (claims, awards and information);
- (i) section 89 (report to Parliament);
- (j) section 95 (interpretation of Part 4) to the extent that it is not already in force;
- (k) paragraphs 1 to 3, 5 to 25 and 27 to 50 of Schedule 9 and section 91 in so far as it relates to those paragraphs to the extent that those paragraphs and that section are not already in force.

Appointed day for council tax benefit

8. 1st April 2013 is the day appointed for the coming into force of the following provisions of the 2012 Act—

- (a) section 33(1)(e) (abolition of benefits – council tax benefit);
- (b) paragraphs 5 (and paragraph 4 in so far as it relates to paragraph 5) and 15 to 18 of Schedule 3 (abolition of benefits: consequential amendments), and section 33(3) in so far as it relates to those paragraphs, in so far as they relate to the abolition of council tax benefit; and
- (c) the provisions of Part 1 of Schedule 14 (repeals – abolition of benefits superseded by universal credit) which are specified in Schedule 4 to this Order in so far as they relate to the abolition of council tax benefit.

Savings for council tax benefit

9. Notwithstanding the coming into force of Part 1 of Schedule 14 to the 2012 Act under article 8(c), the provisions specified in Schedule 4 to this Order and any regulations or orders made under them continue to have effect for any of the following matters arising on or after 1st April 2013 that relate to council tax benefit before 1st April 2013—

- (a) the administration of council tax benefit;
- (b) the administration of appeals against council tax benefit decisions;

- (c) the investigation and prosecution of offences relating to council tax benefit;
- (d) the recovery of excess council tax benefit;
- (e) the administration of civil and administrative penalties;
- (f) the payment of subsidy in respect of council tax benefit for years up to and including the year ending 31st March 2013.

Transitional provisions for council tax benefit

10.—(1) For the purpose of allowing a billing authority, or in Scotland a local authority, to make decisions in relation to matters in respect of council tax benefit arising before 1st April 2013 where a claim is received on or after 1st April 2013—

- (a) the Council Tax Benefit Regulations 2006^{M4} as saved by virtue of article 9 are modified in accordance with Part 1 of Schedule 5 to this Order; and
- (b) the Council Tax Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006^{M5} as saved by virtue of article 9 are modified in accordance with Part 2 of Schedule 5 to this Order.

(2) In this article—

“billing authority” has the meaning given in Part 1 of the Local Government Finance Act 1992^{M6}; and

“local authority” means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994^{M7}.

Marginal Citations

M4 S.I. 2006/215.

M5 S.I. 2006/216.

M6 1992 c.14.

M7 1994 c.39.

Iain Duncan Smith
Secretary of State for Work and Pensions

SCHEDULES

SCHEDULE 1

Article 2(1)

Provisions coming into force for regulation-making purposes on 25th February 2013

1. Section 5 (financial conditions of entitlement).
2. Section 6(1)(a) and (3) (restrictions on entitlement).
3. Section 8(3) (calculation of awards).
4. Section 12(1) (other particular needs or circumstances).
5. Section 14(5) (claimant commitment).
6. Section 17(4) and (5) (work search requirement).
7. Section 18(3) and (5) (work availability requirement).
8. Section 20(1) (claimants subject to work-focused interview requirement only).
9. Section 22(2) (claimants subject to all work-related requirements).
10. Section 26(2)(a) (higher-level sanctions).
11. Section 49(3) (claimant responsibilities for jobseeker's allowance) and section 49(1) in so far as it relates to section 49(3).
12. Section 57(2) (claimant responsibilities for employment and support allowance) and section 57(1) in so far as it relates to section 57(2).
13. Section 77(3).
14. Section 83(3).
15. Section 87.
16. Section 95.
17. Section 101(1).
18. Section 102(6) (power to require consideration of revision before appeal), except in so far as it relates to paragraphs 12 to 14 of Schedule 11 (power to require consideration of revision before appeal), and section 102(1) in so far as it relates to that subsection.
19. Section 118(5) and (8)(b) and section 118(1) and (2) in so far as it relates to section 118(5) and (8)(b).
20. Paragraphs 4 and 23 of Schedule 2 and paragraph 3 and section 31 in so far as they relate to those paragraphs.
21. Paragraphs 2, 31 to 34, 43, 45, 47, 49 and 55 of Schedule 2 and section 31 in so far as it relates to those paragraphs.
22. Paragraph 32 of Schedule 9, paragraph 7 of Schedule 9 in so far as it relates to paragraph 32 and section 91 in so far as it relates to those paragraphs.

23. Paragraphs 39 and 41 of Schedule 9, paragraph 37 of Schedule 9 in so far as it relates to paragraphs 39 and 41 and section 91 in so far as it relates to those paragraphs.

24. Paragraphs 1 to 11 and 15 to 18 of Schedule 11.

SCHEDULE 2

Article 2(2)

Provisions coming into force for all purposes on 25th February 2013

1. Section 2(2) (claims for universal credit).
2. Section 4(2), (3) and (5) to (7) (basic conditions of entitlement).
3. Section 7(2) and (3) (basis of awards).
4. Section 9(2) and (3) (standard allowance).
5. Section 10(2) to (5) (responsibility for children and young persons).
6. Section 11(3) to (5) (housing costs).
7. Section 12(3) and (4).
8. Section 15(2) and (3) (work-focused interview requirement).
9. Section 17(3)(f).
10. Section 19(2)(d), (3) and (4) (claimants subject to no work-related requirements).
11. Section 24(1), (5) and (6) (imposition of requirements).
12. Section 25 (compliance with requirements).
13. Section 26(6) to (8).
14. Section 27(4), (5) and (9) (other sanctions).
15. Section 28 (hardship payments).
16. Section 32 (power to make supplementary and consequential provision etc).
17. Section 37(3) to (7) (capability for work or work-related activity).
18. Section 39(3)(a) (couples).
19. Section 40 (interpretation of Part 1).
20. Section 42 (regulations: general).
21. Section 43 (regulations: procedure).
22. Section 49(6) and section 49(1) in so far as it relates to section 49(6).
23. Section 54(6) (claimant commitment for employment and support allowance) and section 54(1) in so far as it relates to section 54(6).
24. Section 57(6) and section 57(1) in so far as it relates to section 57(6).
25. Section 78(3) and (4).
26. Section 79(3), (4) and (7).
27. Section 80 (ability to carry out daily living activities or mobility activities).
28. Section 81 (required period condition: further provision).

Changes to legislation: There are currently no known outstanding effects for the The Welfare Reform Act 2012 (Commencement No.8 and Savings and Transitional Provisions) Order 2013. (See end of Document for details)

29. Section 85 (care home residents).
30. Section 86 (hospital in-patients).
31. Section 92 (power to make supplementary and consequential amendments).
32. Section 93 (transitional).
33. Section 94 (regulations).
34. Section 98 (claims and awards).
35. Section 99 (powers to require information relating to claims and awards).
36. Section 100 (payments to joint claimants).
37. Section 102(2) to (5) and section 102(1) in so far as it relates to those subsections.
38. Section 104 (electronic communications).
39. Paragraphs 1, 3, 4, 5 and 7 of Schedule 1 (universal credit: supplementary regulation-making powers) and section 30 (supplementary regulation-making powers) in so far as it relates to those paragraphs.
40. Paragraphs 5, 6, 36, 46 and 48 of Schedule 2 and paragraph 3 of that Schedule and section 31 in so far as they relate to those paragraphs.
41. Paragraphs 2 and 3 of Schedule 5 (universal credit and other working-age benefits) and section 35 (universal credit and working-age benefits) in so far as it relates to those paragraphs.
42. Paragraphs 1(1) and (2)(b), 3(1)(a) to (c), 4(1)(a), 5(1), (2)(c) and (d) and (3)(a) and 6 of Schedule 6 (migration to universal credit) and section 36 in so far as it relates to those paragraphs.
43. Paragraphs 9, 40 and 42 of Schedule 9, paragraphs 7 and 37 of Schedule 9 in so far as they relate to paragraphs 9, 40 and 42 and section 91 in so far as it relates to those paragraphs.
44. Schedule 10 (personal independence payment: transitional).

SCHEDULE 3

Article 7(1)

Postcodes for personal independence payment

BL
CA
CH except CH1, CH4, CH5, CH6, CH7 and CH8
CW
DH
DL except DL6, DL7, DL8, DL9, DL10 and DL11
FY
L
LA except LA2 7, LA2 8, LA6 2 and LA6 3
M
NE
PR

SR
 TS except TS9
 WA
 WN

SCHEDULE 4

Article 8(c)

Commencement of Repeals

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Social Security Contributions and Benefits Act 1992 (c. 4)	Sections 123 to 137. Section 175(6).
Social Security Administration Act 1992 (c. 5)	Section 6. In section 7— (a) in the heading, the words “community charge benefits and others”; (b) subsection (2), so far as not otherwise repealed; (c) subsection (3)(b) and the preceding “and”. Sections 110A to 110AA. In section 111— (a) in subsection (1)(ab), “or 110AA”; (b) in subsection (3), “or 110A”. In section 115A— (a) in subsection (1), “or an authority”, “71A, 75 or 76” and “or authority”; (b) in subsection (1A) (as inserted by section 113 of the 2012 Act), “or an authority” in both places and “71A, 75 or 76”; (c) in subsection (2), “or authority”, in both places; (d) in subsection (5), “or authority”, in both places; (e) subsections (7A) and (7B). In section 115B— (a) in subsection (1), “or an authority that administers housing benefit or council tax benefit”; (b) in subsection (3), “or authority”, in both places; (c) in subsection (4)(a) (as substituted by section 102 of the 2012 Act), “ or authority ”; (d) in subsection (4A) (as so substituted), the words from “ (and, where ” to the end; (e) in subsection (6), “or authority”, in both places.

Changes to legislation: There are currently no known outstanding effects for the The Welfare Reform Act 2012 (Commencement No.8 and Savings and Transitional Provisions) Order 2013. (See end of Document for details)

	<p>In section 116—</p> <ul style="list-style-type: none">(a) in subsection (2)(a), “(other than proceedings to which paragraph (b) applies)” (as substituted by section 111 (a) of the 2012 Act);(b) subsection (2)(b) and the preceding “and”;(c) subsection (3)(b) and the preceding “and”;(d) subsections (4) and (5). <p>Section 116A. Section 121DA(6). Sections 122C to 122E. Section 128A (and the preceding cross-heading). Sections 138 to 140G. Section 176(1)(a) and (b). Section 182A(3)(c). Section 182B(2).</p> <p>In section 189—</p> <ul style="list-style-type: none">(a) subsections (7) and (7A);(b) in subsection (8), “140B, 140C”. <p>In section 191, the definitions of—</p> <ul style="list-style-type: none">(a) “billing authority”;(b) “council tax benefit scheme”. <p>In Schedule 4, the paragraphs headed “Local authorities etc”.</p>
Local Government Finance Act 1992 (c. 14)	In Schedule 9, paragraphs 1 to 13, 15 to 17, 19 to 24 and 25(a) and (c).
Jobseekers Act 1995 (c. 18)	Section 28.
Social Security Administration (Fraud) Act 1997 (c. 47)	Section 3. Section 4(1). Section 5. Sections 8 to 10. In Schedule 1, paragraphs 3 and 7.
Social Security Act 1998 (c. 14)	Section 34. Section 79(8).
Audit Commission Act 1998 (c. 18)	Sections 38 and 39. Section 50. In Schedule 1, paragraph 8(2)(b).
Scotland Act 1998 (c. 46)	In Part 2 of Schedule 5, in Section F1, under the heading “Illustrations”, “administration and funding of housing benefit and council tax benefit”.
Local Government Act 1999 (c. 27)	Section 13A(4A). Section 29(2A).
Welfare Reform and Pensions Act 1999 (c. 30)	Sections 57 and 58.
Immigration and Asylum Act	Section 115(1)(e), (j) and (k).

1999 (c. 33)	
Child Support, Pensions and Social Security Act 2000 (c. 19)	Section 68. In Schedule 6, paragraph 3. Schedule 7.
Social Security Fraud Act 2001 (c. 11)	Section 1(5). Section 2(2). Section 6. In section 6B— (a) in subsection (2)(b)(i), “or an authority which administers housing benefit or council tax benefit”; (b) subsections (6), (7), (9) and (10). In section 7— (a) subsections (3), (4), (4B) and (5); (b) in subsection (10), “8 or”. In section 9— (a) subsection (1)(a), (b), (bc), (c) and (d); (b) subsections (3), (4), (4B) and (5). Section 14.
Public Audit (Wales) Act 2004 (c. 23)	In Schedule 2, paragraph 15.
Pensions Act 2004 (c. 35)	In Schedule 10, paragraph 3.
Welfare Reform Act 2007 (c. 5)	Sections 30 to 34. Sections 37 to 39. Section 41(2)(a) to (d) and (3). Sections 46 and 47. Section 48(1) to (3). In Schedule 5, paragraphs 1, 3 to 9, 12 and 13.
Local Government and Public Involvement in Health Act 2007 (c. 50)	Section 147(2). Section 148(1)(b). Section 150.
Welfare Reform Act 2009 (c. 24)	Sections 35 and 36.
Welfare Reform Act 2012 (c. 5)	Section 130(7)(b) and (c).

SCHEDULE 5

Article 10(1)

Modifications

PART 1

Modification of the Council Tax Benefit Regulations 2006

1. The Council Tax Benefit Regulations 2006 ^{M8} are modified as follows.

Marginal Citations**M8** S.I. 2006/215.

2. In regulation 69 (time and manner in which claims are to be made) ^{M9}—
- (a) in paragraph (1), for “paragraphs (4A) to (4AE)” substitute “ paragraph (4A) ”;
 - (b) omit paragraph (3);
 - (c) in paragraph (4)—
 - (i) omit sub-paragraphs (a), (c) and (f); and
 - (ii) in sub-paragraph (b) omit “where it has not been sent or delivered to the appropriate DWP office.”;
 - (d) omit paragraphs (4AA) to (4AE);
 - (e) omit paragraph (4BA);
 - (f) in paragraph (4C)—
 - (i) for “paragraphs (4A) to (4AE)” substitute “ paragraph (4A) ”; and
 - (ii) omit “or the Secretary of State”;
 - (g) in paragraphs (4E) and (4F) omit “or the Secretary of State”;
 - (h) in paragraph (5)—
 - (i) in sub-paragraph (b) omit “or appropriate DWP office”;
 - (ii) in sub-paragraph (d), for “, an authorised office, county offices or an appropriate DWP office” substitute “ or county offices ”;
 - (iii) in sub-paragraph (d) in paragraphs (i) and (ii) omit “, an authorised office or an appropriate DWP office”;
 - (iv) in sub-paragraph (d)(ii), for “paragraphs (4A) to (4AE)” substitute “ paragraph (4A) ”; and
 - (v) in sub-paragraph (e), for “authorised office, county offices or appropriate DWP office” substitute “ or county offices ”;
 - (i) in paragraph (6) omit “or appropriate DWP office”;
 - (j) omit paragraph (7A);
 - (k) in paragraph (8), for “, (b) or (c)” substitute “ or (b) ”;
 - (l) in paragraph (8A)—
 - (i) at the end of sub-paragraph (b) omit “or”; and
 - (ii) omit sub-paragraph (c); and
 - (m) omit paragraph (15).

Marginal Citations**M9** Relevant amending instruments for regulation 69 are S.I.s 2006/2967, 2008/1082, 2008/2299 and 2008/2987.

3. In regulation 72 (evidence and information) ^{M10}—
- (a) in paragraph (1)—
 - (i) for “paragraphs (1A) and (2)” substitute “ paragraph (2) ”; and

- (ii) omit “, or the Secretary of State requesting him,”; and
- (b) omit paragraph (1A).

Marginal Citations

M10 The relevant amending instrument for regulation 72 is [S.I. 2008/2987](#).

- 4. In regulation 73 (amendment and withdrawal of claim) ^{M11}—
 - (a) in paragraph (2), for “paragraphs (4A) to (4AE)” substitute “ paragraph (4A) ”;
 - (b) omit paragraph (5); and
 - (c) in paragraph (6) omit “or (5)”.

Marginal Citations

M11 [Regulation 73](#) was substituted by S.I.s 2006/2967, 2007/719 and 2008/2299.

- 5. In regulation 74 (duty to notify changes of circumstances) ^{M12}—
 - (a) in paragraph (1), for “paragraphs (3), (5) and (7)” substitute “ paragraphs (3) and (5) ”; and
 - (b) omit paragraph (7).

Marginal Citations

M12 [Regulation 74\(7\)](#) was added by [S.I. 2008/2987](#).

PART 2

Modification of the Council Tax Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006

- 1. The Council Tax Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006 ^{M13} are modified as follows.

Marginal Citations

M13 [S.I. 2006/216](#).

- 2. In regulation 53 (time and manner in which claims are to be made) ^{M14}—
 - (a) in paragraph (1), for “paragraphs (4A) to (4BD)” substitute “ paragraph (4A) ”;
 - (b) omit paragraph (3);
 - (c) in paragraph (4)—
 - (i) omit sub-paragraphs (a), (c) and (f); and
 - (ii) in sub-paragraph (b) omit “where it has not been sent or delivered to the appropriate DWP office,”;
 - (d) omit paragraphs (4B) to (4BD);
 - (e) omit paragraph (4CA);

- (f) in paragraph (4D)—
 - (i) for “paragraphs (4A) to (4BD)” substitute “ paragraph (4A) ”; and
 - (ii) omit “or the Secretary of State”;
- (g) omit paragraph (4EA);
- (h) in paragraphs (4F) and (4G) omit “or the Secretary of State”;
- (i) in paragraph (5)—
 - (i) in sub-paragraph (b) omit “or appropriate social security office”;
 - (ii) in sub-paragraph (d), for “, an authorised office, county offices or an appropriate DWP office” substitute “ or county offices ”;
 - (iii) in sub-paragraph (d) in paragraphs (i) and (ii) omit “, an authorised office or an appropriate DWP office”;
 - (iv) in sub-paragraph (d)(ii), for “paragraphs (4A) to (4BD)” substitute “ paragraph (4A) ”; and
 - (v) in sub-paragraph (e), for “or authorised office, county offices or appropriate DWP office” substitute “ or county offices ”;
- (j) in paragraph (6) omit “or appropriate DWP office”;
- (k) omit paragraph (7A);
- (l) in paragraph (8), for “, (b) or (c)” substitute “ or (b) ”;
- (m) in paragraph (8A)—
 - (i) at the end of sub-paragraph (b) omit “or”; and
 - (ii) omit sub-paragraph (c); and
- (n) omit paragraph (14).

Marginal Citations

M14 Relevant amending instruments for regulation 53 are S.I.s 2006/2967, 2008/1082, 2008/2299 and 2008/2987.

3. In regulation 57 (evidence and information) ^{M15}—

- (a) in paragraph (1)—
 - (i) for “paragraphs (1A) and (2)” substitute “ paragraph (2) ”; and
 - (ii) omit “, or the Secretary of State requesting him,”; and
- (b) omit paragraph (1A).

Marginal Citations

M15 The relevant amending instrument for regulation 57 is [S.I. 2008/2987](#).

4. In regulation 58 (amendment and withdrawal of claim) ^{M16}—

- (a) in paragraph (2), for “paragraphs (4A) to (4BD)” substitute “ paragraph (4A) ”;
- (b) omit paragraph (5); and
- (c) in paragraph (6) omit “or (5)”.

Marginal Citations

M16 Relevant amending instruments for regulation 58 are S.I.s 2006/2967, 2007/719 and 2008/2299.

5. In regulation 59 (duty to notify changes of circumstances) ^{M17}—
- (a) in paragraph (1), for “paragraphs (3), (5) to (8) and (10)” substitute “ paragraphs (3) and (5) to (8) ”; and
 - (b) omit paragraph (10).

Marginal Citations

M17 [Regulation 74\(10\)](#) was added by [S.I. 2008/2987](#).

EXPLANATORY NOTE

(This note is not part of the Order)

This is the eighth Commencement Order made under the Welfare Reform Act 2012 (c.5) (“the 2012 Act”). This Order brings into force provisions relating to several social security benefits, makes transitional provisions for council tax benefit and makes savings provisions for council tax benefit and overpayments of social security benefits.

Article 2 brings into force the provisions of the 2012 Act listed in Schedules 1 and 2 on 25th February 2013. This enables Regulations to be made under the 2012 Act, in particular in relation to universal credit, personal independence payment (“PIP”), jobseeker's allowance and employment and support allowance. In addition, it enables Regulations to be made which include consequential and transitional amendments as a result of Regulations being made in relation to those benefits.

Article 2 and Schedules 1 and 2 also provide for the coming into force on 25th February 2013 of amendments to the Social Security Administration Act 1992 (c.5) (“the 1992 Act”) and the Social Security Act 1998 (c.14) (“the 1998 Act”) for the purposes of making Regulations in connection with decision-making and appeals. Further, article 2 and Schedules 1 and 2 bring into force new Regulation-making powers and amendments to existing Regulation-making powers in the 1992 Act which relate to claims to, and payments of, universal credit, jobseeker's allowance, employment and support allowance and PIP.

Article 3 brings into force provisions relating to the Social Security Advisory Committee on 25th February 2013. These provisions relate to referring to that Committee Regulations made following the commencements in article 2.

Article 4 brings into force on 1st April 2013 repeals in relation to payments of benefits on account. It also brings into force on 25th February 2013 provisions enabling Regulations to be made on payments on account.

Article 5 brings into force provisions relating to overpayments of social security benefits. It brings provisions into force on 25th February 2013 for enabling Regulations to be made and on 29th April 2013 for other purposes relating to overpayments.

Changes to legislation: There are currently no known outstanding effects for the The Welfare Reform Act 2012 (Commencement No.8 and Savings and Transitional Provisions) Order 2013. (See end of Document for details)

Article 6 brings into force provisions relating to loss of benefit. The provisions come into force on 25th February 2013 for enabling Regulations to be made and on 1st and 6th April 2013 for other purposes relating to loss of benefits.

Article 7 brings into force the provisions of the 2012 Act listed in article 7(2), which relate to PIP. The provisions listed are brought into force only to the extent that they are not already in force by virtue of article 2. They are brought into force on 8th April 2013, but only in relation to a person whose only or principal residence is located in an area covered by the postcodes listed in Schedule 2 to this Order at the date on which that person makes a claim for PIP. Article 7 also provides for the coming into force on 8th April 2013 of amendments to the 1992 Act and 1998 Act in connection with decision-making and appeals relating to PIP to the extent that they are not already in force.

Article 8 brings into force on 1st April 2013 provisions in the 2012 Act which abolish council tax benefit. Schedule 4 lists repeals made in other legislation which are commenced to enable the repeal of council tax benefit.

Article 9 makes savings relating to council tax benefit. This enables decisions to be made on or after 1st April 2013 on council tax benefit matters which arose before that date.

Article 10 makes provision for the Council Tax Benefit Regulations 2006 (S.I. 2006/215) and the Council Tax Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006 (S.I. 2006/216), as saved by article 9, to be modified in relation to claims for council tax benefit received on or after 1st April 2013. The modifications are in Schedule 5 to this Order. These are transitional provisions in relation to the abolition of council tax benefit.

A full impact assessment has not been produced for this Order because 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 Welfare Reform Act 2012 were brought into force by a Statutory Instrument which was made before this Order was made.

<i>Provision></i>	<i>Date of commencement</i>	<i>S.I. Number</i>
Section 44(5)	10th June 2012	2012/1246
Section 45	8th October 2012	2012/2530
Section 46(1) and (3) (partially)	10th June 2012	2012/1246
Section 46(1) (partially)	22nd October 2012	2012/2530
Section 46(2)	10th June 2012	2012/1246
Section 46(3) (for all remaining purposes)	22nd October 2012	2012/2530
Section 46(4)	22nd October 2012	2012/2530
Section 47	20th March 2012	2012/863
Section 48 (partially)	22nd October 2012	2012/2530
Section 51 (partially)	20th March 2012	2012/863
Section 51 (for all remaining purposes)	1st May 2012	2012/863
Sections 52 and 53	1st May 2012	2012/863
Section 55	3rd December 2012	2012/2530
Section 56	26th November 2012	2012/2530

Section 58(1) and (2)	20th March 2012	2012/863
Section 64 (partially)	30th October 2012	2012/2530
Section 64 (for all remaining purposes)	5th December 2012	2012/2530
Section 65	5th December 2012	2012/2530
Section 66 (partially)	30th October 2012	2012/2530
Sections 67 and 68	5th December 2012	2012/2530
Section 69 (partially)	27th November 2012	2012/2946
Section 69 (for all remaining purposes)	1st January 2013	2012/2946
Section 70(1) and (3) to (10)	1st April 2013	2012/3090
Section 70(2)	1st August 2013	2012/3090
Section 73	1st April 2013	2012/3090
Section 96 (partially)	27th November 2012	2012/2946
Section 96 (for all remaining purposes)	15th April 2013	2012/2946
Section 97(1) to (4)	27th November 2012	2012/2946
Section 97(5) and (6)	15th April 2013	2012/2946
Section 105(1) (partially)	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) (partially)	10th May 2012	2012/1246
Section 116(1) (for all remaining purposes)	1st October 2012	2012/1246
Section 116(2)	10th May 2012	2012/1246
Section 120 (partially)	1st February 2013	2013/178
Section 120 (for all remaining purposes)	6th April 2013	2013/178
M18	6th June 2012	2012/1246
Sections 122, 123 and 125		
Sections 128 and 129	20th March 2012	2012/863
Section 130 (partially)	20th March 2012	2012/863
Section 130 (for all remaining purposes)	8th May 2012	2012/863
Section 131 (partially)	20th March 2012	2012/863
Section 131 (for all remaining purposes)	8th May 2012	2012/863
Section 132(8)	20th March 2012	2012/863
Section 132 (for all remaining purposes)	8th May 2012	2012/863
Section 133(1) to (4)	20th March 2012	2012/863

Changes to legislation: There are currently no known outstanding effects for the The Welfare Reform Act 2012 (Commencement No.8 and Savings and Transitional Provisions) Order 2013. (See end of Document for details)

Section 133(6)	2nd July 2012	2012/1651
Sections 143, 144 and 146	8th May 2012	2012/863
Schedule 7 (partially)	22nd October 2012	2012/2530
Schedule 8 (partially)	1st April 2013	2012/3090
Schedule 8 (for all remaining purposes)	1st August 2013	2012/3090
Part 3 of Schedule 14 (partially)	22nd October 2012	2012/2530
Part 8 of Schedule 14 (partially)	1st April 2013	2012/3090
Part 8 of Schedule 14 (partially)	1st August 2013	2012/3090
Part 14 of Schedule 14	8th May 2012	2012/863

Changes to legislation:

There are currently no known outstanding effects for the The Welfare Reform Act 2012 (Commencement No.8 and Savings and Transitional Provisions) Order 2013.