



2010 CHAPTER 13

PART 1

SOCIAL SECURITY

Revised system of working-age benefits

Transitional provision relating to sections 4 to 6

7.—(1) The Department may by regulations make such provision as the Department considers necessary or expedient for the purposes of, or in connection with, the transition of persons to—

- (a) income-based jobseeker's allowance, or
- (b) income-related employment and support allowance,

by virtue of any provision of sections 4 to 6.

(2) Regulations under this section may, in particular, make provision—

- (a) for the termination or cancellation of awards of income support or income-related employment and support allowance;
- (b) for a person whose award of income support or income-related employment and support allowance has been terminated or cancelled under regulations made by virtue of paragraph (a) to be treated as having been awarded a transitional allowance;
- (c) for any such award of a transitional allowance to be—
 - (i) of such a kind,
 - (ii) for such period
 - (iii) of such an amount, and

- (iv) subject to such conditions,
as may be determined in accordance with the regulations;
- (d) for a person's continuing entitlement to a transitional allowance to be determined by reference to such provision as may be made by the regulations;
- (e) for the termination of an award of a transitional allowance;
- (f) for the review of an award of a transitional allowance;
- (g) that—
 - (i) days which were days of entitlement to income support or income-related employment and support allowance, and
 - (ii) such other days as may be specified in or determined in accordance with the regulations,are to be treated as having been days during which a person was, or would have been, entitled to an income-based jobseeker's allowance or income-related employment and support allowance.
- (3) Paragraphs (3) to (6) of Article 74 of the 1998 Order (regulations and orders) apply in relation to the power to make regulations under this section as they apply to any power to make regulations under that Order.
- (4) Regulations under this section are subject to negative resolution.
- (5) In this section—
 - “income-based jobseeker's allowance” has the same meaning as in the Jobseekers Order;
 - “income-related employment and support allowance” means an income-related allowance under Part 1 of the Welfare Reform Act (employment and support allowance);
 - “transitional allowance” means an income-based jobseeker's allowance or income-related employment and support allowance.