
EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force (in whole or in part) the following provisions of the Welfare Reform Act 2009—

- a) section 10 (power to direct claimant to undertake specific work-related activity);
- b) section 14 (mobility component);
- c) section 26 (repeal of sections 62 to 66 of the Child Support, Pensions and Social Security Act 2000);
- d) section 33 (attendance in connection with jobseeker’s allowance: sanctions);
- e) section 35 (persons under pensionable age to take part in work-focused interviews etc.);
- f) section 58 (repeals and revocations);
- g) Schedule 7, Part 3 (social security: other repeals and revocations).

Section 10 amends section 15 of the Welfare Reform Act 2007 to allow the Secretary of State, in prescribed circumstances, to impose a requirement to undertake specific work-related activity on a claimant of employment and support allowance.

Section 14 amends section 73 of the Social Security Contributions and Benefits Act 1992 to allow people with prescribed severe visual impairments to claim the higher rate mobility component of disability living allowance.

Section 26 of the Act and related provisions in Part 3 of Schedule 7 to the Act repeal sections 62 to 66 of the Child Support, Pensions and Social Security Act 2000 which provided for the reduction of benefit payments where a person failed without reasonable excuse to comply with the requirements of a relevant community order made in respect of that person.

Section 33 of the Act amends section 8 of the Jobseekers Act 1995 to allow a sanction of one or two weeks loss of benefit to be imposed on claimants who fail to attend mandatory interviews and appointments and do not show good cause for their failure to attend within a prescribed period. Entitlement to benefit will cease if the claimant does not make contact with an officer of the Secretary of State within the prescribed period.

Sections 32(3) and (4) of the Act, which amend the Jobseekers Act 1995 to substitute “officer of the Secretary of State” for references to “employment officer” and “the Secretary of State”, have not yet been commenced. Article 3 makes transitory modifications to section 8 of the 1995 Act, as amended by section 33 of the Act (which is brought into force by article 2(6)), until the commencement of these subsections.

Section 35 of the Act amends the powers in sections 2A and 2AA of the Social Security Administration Act 1992 to make regulations in connection with the requirement to take part in one or more work-focused interviews. The powers are amended to remove the references to a person being under 60 years of age and replace them with references to a person who has not attained pensionable age.

A full impact assessment has not been published for this instrument as it has no impact on the costs of businesses, charities and the voluntary sector.