
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.

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

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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.

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