

Draft Regulations laid before Parliament under section 26(1) of the Welfare Reform Act 2007, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2013 No.

SOCIAL SECURITY

The Employment and Support Allowance Regulations 2013

Made - - - -

Coming into force - - 29th April 2013

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred by sections 2(1)(a) and (c) and (4)(a) and (c), 3(1)(c), (2)(b) and (d) and (3), 8(1) to (3), (4)(a) and (b), (5) and (6), 9(1) to (3) and (4)(a) and (b), 11A(5), 11B(2) and (3), 11D(2)(d), 11E(1), 11H(5) and (6), 11J(3), (4) and (8), 17(1), (2) and (3)(a) and (b), 18(1), (2) and (4), 20(2) to (7), 24(1), (2)(b) and (3) and 25(2) to (5) of, and paragraphs 1(3) and (4), 3(2) and 4(1)(a) and (c), (3) and (4) of Schedule 1 and paragraphs 1 to 4A, 5, 6, 9 and 10 of Schedule 2 to, the Welfare Reform Act 2007(1), sections 5(1A), 189(4) to (6) and 191 of the Social Security Administration Act 1992(2), section 21(1)(a) of the Social Security Act 1998(3) and paragraphs 2(3) and 3 of Schedule 5 to the Welfare Reform Act 2012(4).

The Social Security Advisory Committee has agreed that the proposals in respect of these Regulations should not be referred to it(5).

A draft of these Regulations has been laid before Parliament in accordance with section 26(1) of the Welfare Reform Act 2007(6) and approved by a resolution of each House of Parliament.

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- (1) [2007 c.5](#). Section 2(1) was amended by paragraph 24 of Schedule 3 and paragraph 6(2) of Schedule 5 to the Welfare Reform Act 2012 ([c.5](#)). Section 3(2)(d) was amended by paragraph 26(c) of Schedule 3 to the Welfare Reform Act 2012. Sections 11A to 11J were inserted by section 57(2) of the Welfare Reform Act 2012. Section 18(4) was amended by paragraph 26(d) of Schedule 3 to the Welfare Reform Act 2012. Section 20(2) to (7) was amended by paragraph 26(e) of Schedule 3 to the Welfare Reform Act 2012. Paragraph 1(3) of Schedule 1 was substituted by section 13(4) of the Welfare Reform Act 2009 ([c.24](#)) and paragraph 1(4) was amended by section 13(5) of that Act. Paragraph 3(2) of Schedule 1 was amended by paragraph 26(f) of Schedule 3 to the Welfare Reform Act 2012. Paragraph 4A of Schedule 2 was inserted by section 54(6) of the Welfare Reform Act 2012 and paragraph 6 was amended by paragraph 26(g) of Schedule 3 to the Welfare Reform Act 2012. Section 24(1) is cited for the meaning it gives to “prescribed” and “regulations”.
- (2) [1992 c.4](#). Section 5(1A) was inserted by section 99(3) of the Welfare Reform Act 2012.
- (3) [1998 c.14](#).
- (4) [2012 c.5](#).
- (5) See sections 172(1) and 173(1)(b) of the Social Security Administration Act 1992.
- (6) Section 26(1) was amended by paragraph 8(4) of Schedule 3 to the Welfare Reform Act 2008 and section 57(6) of, and Schedule 14 to, the Welfare Reform Act 2012.