

Status: This version of this provision is prospective.

Changes to legislation: Welfare Reform Act 2009, Section 9 is up to date with all changes known to be in force on or before 03 September 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes



Welfare Reform Act 2009

2009 CHAPTER 24

PART 1

SOCIAL SECURITY

Abolition of income support

PROSPECTIVE

9 Abolition of income support

- (1) This section applies if, whether as a result of—
 - (a) provision made by any regulations under section 1A(4)(c) or (8) of the Jobseekers Act 1995 (as inserted by section 4 above), or
 - (b) provision made by or under any other enactment, or otherwise,the Secretary of State considers that it is no longer appropriate for any category of person to be prescribed under section 124(1)(e) of the Social Security Contributions and Benefits Act 1992 (c. 4) (conditions for income support).
- (2) The Secretary of State may by order provide for section 124 of the Social Security Contributions and Benefits Act 1992 (which establishes the entitlement to income support) to cease to have effect.
- (3) If an order is made under subsection (2)—
 - (a) the amendments made by Schedule 2, and
 - (b) the repeals in Part 1 of Schedule 7,have effect in accordance with provision made by the order.
- (4) The Secretary of State may by order make such transitional or consequential provision or savings as the Secretary of State considers necessary or expedient for the purposes of or in connection with the abolition of income support (including provision of the kind mentioned in section 7(2)).

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- (5) The consequential provision that may be made by an order under subsection (4) includes, in particular, provision amending, repealing or revoking—
 - (a) any provision of any Act (whenever passed), or
 - (b) any provision of any instrument made under any Act (whenever made).
- (6) In subsection (5) “Act” means—
 - (a) an Act of Parliament,
 - (b) an Act of the Scottish Parliament, or
 - (c) a Measure or Act of the National Assembly for Wales.
- (7) Subsections (3) to (5) of section 175 of the Social Security Contributions and Benefits Act 1992 (c. 4) (supplementary provisions in relation to powers to make subordinate legislation under that Act) apply in relation to any power to make an order under this section as they apply to any power to make orders under that Act.
- (8) Any power to make an order under this section is exercisable by statutory instrument.
- (9) An order under subsection (2) may not be made unless a draft of the statutory instrument containing the order (whether alone or with other provision) has been laid before, and approved by a resolution of, each House of Parliament.
- (10) A statutory instrument containing an order under subsection (4) is (unless a draft of it has been approved by a resolution of each House of Parliament) subject to annulment in pursuance of a resolution of either House of Parliament.

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Changes and effects yet to be applied to :

- s. 9 repealed by [2012 c. 5 Sch. 14 Pt. 1](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 4 para. 9(3)(b) repealed by [2009 c. 24 Sch. 7 Pt. 1](#)