
STATUTORY INSTRUMENTS

2012 No. 863 (C. 23)

SOCIAL SECURITY

**The Welfare Reform Act 2012
(Commencement No. 1) Order 2012**

Made - - - - 19th March 2012

The Secretary of State for Work and Pensions makes the following Order in exercise of the powers conferred by section 150(3) and (4)(a) of the Welfare Reform Act 2012⁽¹⁾.

Citation and interpretation

1.—(1) This order may be cited as the Welfare Reform Act 2012 (Commencement No.1) Order 2012.

(2) In this Order, “the Act” means the Welfare Reform Act 2012.

Appointed days

2.—(1) The day after the day on which this Order is made is the day appointed for the coming into force of the following provisions of the Act—

- (a) section 47 (procedure for regulation-making powers);
- (b) section 51 (period of entitlement to contributory allowance), for the purpose only of exercising the power to make regulations in subsection (4)⁽²⁾;
- (c) section 58(1) and (2) (entitlement of lone parents to income support etc);
- (d) section 128 (information-sharing between Secretary of State and DPP);
- (e) section 129 (unlawful disclosure of information supplied under section 128);
- (f) section 130 (information-sharing in relation to provision of overnight care etc), for the purpose only of exercising any power to make regulations;
- (g) section 131 (information-sharing in relation to welfare services etc), for the purpose only of exercising any power to make regulations;
- (h) section 132(8) (unlawful disclosure of information supplied under section 131); and
- (i) section 133(1) to (4) (sections 130 to 132: supplementary).

⁽¹⁾ 2012 c. 5.

⁽²⁾ Section 51(4) of the Welfare Reform Act 2012 inserts a new paragraph 7(2)(f) into Schedule 4 to the Welfare Reform Act 2007 (c. 5).

(2) 1st May 2012 is the day appointed for the coming into force of the following provisions of the Act—

- (a) section 51 (period of entitlement to contributory allowance), in so far as not already in force;
- (b) section 52 (further entitlement after time-limiting); and
- (c) section 53 (condition relating to youth).

(3) 8th May 2012 is the day appointed for the coming into force of the following provisions of the Act—

- (a) section 113 (penalty in respect of benefit fraud not resulting in overpayment);
- (b) section 114 (amount of penalty);
- (c) section 115 (period for withdrawal of agreement to pay penalty);
- (d) section 130 (information-sharing in relation to provision of overnight care etc), in so far as not already in force;
- (e) section 131 (information-sharing in relation to welfare services etc), in so far as not already in force;
- (f) section 132 (unlawful disclosure of information supplied under section 131), in so far as not already in force;
- (g) section 143 (standards of decision-making);
- (h) section 144 (use of jobcentres by sex industry);
- (i) section 146 (UK child poverty strategies); and
- (j) Part 14 of Schedule 14 (repeals: standards of decision-making).

Signed by authority of the Secretary of State for Work and Pensions.

19th March 2012

C. Grayling
Minister of State,
Department for Work and Pensions

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is the first Commencement Order made under the Welfare Reform Act 2012 (“the Act”). It brings into force sections 47, 51 to 53, 58(1) and (2), 113 to 115, 128 to 133(1) to (4), 143, 144 and 146 of, and Part 14 of Schedule 14 to, the Act.

Section 47 of the Act (procedure for regulation-making powers) amends section 37(1)(c) of the Jobseekers Act 1995 so that regulations under sections 6 and 7 of that Act are subject to the negative resolution procedure. This Order brings section 47 into force on the day after the day on which this Order is made.

Section 51 of the Act (period of entitlement to contributory allowance) is brought into force on the day after the day on which the Order is made for the purpose only of making regulations under subsection (4) of that section and on 1st May 2012 for all other purposes. Section 51(4) inserts a new sub-paragraph (2)(f) into paragraph 7 of Schedule 4 to the Welfare Reform Act 2007 (“the 2007 Act”) which enables regulations to modify the application of new section 1A of the 2007 Act (duration of contributory allowance), as inserted by section 51(1) of the Act, in respect of certain persons.

Sections 52 (further entitlement after time-limiting) and 53 (condition relating to youth) of the Act complement section 51 and are brought into force on 1st May 2012.

Section 58(1) and (2) of the Act (entitlement of lone parents to income support) is brought into force on the day after the day on which this Order is made.

Sections 113 to 115 of the Act, which primarily amend provisions in the Social Security Administration Act 1992 which relate to penalties to be imposed as an alternative to prosecution, are brought into force on 8th May 2012.

Sections 128 (information-sharing between the Secretary of State and the DPP) and 129 (unlawful disclosure of information supplied under section 128) of the Act are brought into force on the day after the day on which this Order is made.

Sections 130 (information-sharing in relation to provision of overnight care etc) and 131 (information-sharing in relation to welfare services etc) of the Act are brought into force on the day after the day on which this Order is made for the purpose only of exercising any power to make regulations. Subsection (8) of section 132 of the Act (unlawful disclosure of information supplied under section 131), which refers to one of the regulation-making powers in section 131, is also brought into force on the same day. Sections 130 to 132 of the Act are brought into force for all other purposes on 8th May 2012.

Section 133(1) to (4) of the Act (section 130 to 132: supplementary) is brought into force on the day after the day on which this Order is made.

Sections 143 (standards of decision-making), 144 (use of jobcentres by sex industry) and 146 (UK child poverty strategies) of the Act, and Part 14 of Schedule 14 to the Act (repeals: standards of decision-making) are brought into force on 8th May 2012.

A full impact assessment has not been produced for this instrument as it has no impact on the private sector or civil society organisations.