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# Welfare Reform Act 2009

## 2009 CHAPTER 24

### PART 1

#### SOCIAL SECURITY

##### *Miscellaneous*

#### **<sup>F1</sup>29 Exemption from jobseeking conditions for victims of domestic violence**

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##### **Textual Amendments**

- F1** [S. 29](#) repealed (29.4.2013 for specified purposes and subsequently on the days on which and for the purposes for which "the amending provisions" are brought into force by secondary legislation) by [Welfare Reform Act 2012 \(c. 5\), s. 150\(3\), Sch. 14 Pt. 4; S.I. 2013/983, art. 7\(1\)\(e\) \(with art. 7\(2\)\)](#) (as amended: (1.7.2013) by [S.I. 2013/1511, art. 6](#))

##### **Commencement Information**

- I1** [S. 29](#) in force at 19.1.2012 by [S.I. 2012/68, art. 2](#)

PROSPECTIVE

#### **30 Good cause for failure to comply with regulations etc.**

- (1) In Schedule 1 to the Jobseekers Act 1995 (supplementary provisions), after paragraph 14A insert—

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### **“Good or just cause for acts or omissions**

- 14B (1) This paragraph applies to any regulations made under this Act that prescribe matters to be taken into account in determining whether a person has good cause or just cause for any act or omission (including any failure to comply with the regulations).
- (2) The provision made by the regulations prescribing those matters must include provision relating to—
- (a) the person's physical or mental health or condition;
  - (b) the availability of childcare.”
- (2) In Schedule 2 to the Welfare Reform Act 2007 (c. 5) (employment and support allowance: supplementary provisions), after paragraph 10 insert—

### **“Good cause for failure to comply with certain regulations**

- 10A (1) This paragraph applies to any regulations made under section 11, 12 or 13 that prescribe matters to be taken into account in determining whether a person has good cause for any failure to comply with the regulations.
- (2) The provision made by the regulations prescribing those matters must include provision relating to—
- (a) the person's physical or mental health or condition;
  - (b) the availability of childcare.”

PROSPECTIVE

## **31 Jobseekers' agreements and action plans: well-being of children**

- (1) In section 9 of the Jobseekers Act 1995 (c. 18) (the jobseeker's agreement), after subsection (4) insert—
- “(4A) In preparing a jobseeker's agreement for a claimant, the officer must have regard (so far as practicable) to its impact on the well-being of any child who may be affected by it.”
- (2) In section 14 of the Welfare Reform Act 2007 (employment and support allowance: action plans in connection with work-focused interviews), at the end insert—
- “(5) In preparing any action plan, the Secretary of State must have regard (so far as practicable) to its impact on the well-being of any person under the age of 16 who may be affected by it.”

## **32 Contracting out functions under Jobseekers Act 1995**

- <sup>F2</sup>(1) .....
- <sup>F2</sup>(2) .....
- <sup>F2</sup>(3) .....

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<sup>F3</sup>(4) . . . . .

<sup>F4</sup>(5) . . . . .

#### Textual Amendments

- F2** [S. 32\(1\)-\(3\)](#) repealed (29.4.2013 for specified purposes and subsequently on the days on which and for the purposes for which "the amending provisions" are brought into force by secondary legislation) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(3), [Sch. 14 Pt. 4](#); S.I. 2013/983, art. 7(1)(e) (with [art. 7\(2\)](#)) (as amended: (1.7.2013) by S.I. 2013/1511, art. 6)
- F3** [S. 32\(4\)](#) repealed (22.10.2012) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(3), [Sch. 14 Pt. 3](#); S.I. 2012/2530, art. 2(2)(g)
- F4** [S. 32\(5\)](#) repealed (8.5.2012) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(3), [Sch. 14 Pt. 2](#)

#### Commencement Information

- I2** [S. 32\(1\)](#) in force at 9.3.2011 for specified purposes by [S.I. 2011/682](#), [art. 2\(a\)](#)
- I3** [S. 32\(2\)](#) in force at 9.3.2011 for specified purposes by [S.I. 2011/682](#), [art. 2\(b\)\(c\)](#)

### <sup>F5</sup>33 Attendance in connection with jobseeker's allowance: sanctions

. . . . .

#### Textual Amendments

- F5** [S. 33](#) repealed (22.10.2012) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(3), [Sch. 14 Pt. 3](#); S.I. 2012/2530, art. 2(2)(g)

#### Commencement Information

- I4** [S. 33](#) in force at 10.2.2010 for specified purposes and 6.4.2010 in so far as not already in force by [S.I. 2010/293](#), [art. 2\(6\)](#) (with [art. 3](#))

### 34 Social security information and employment or training information

- (1) In section 2A of the Social Security Administration Act 1992 (c. 5) (claim or full entitlement to certain benefits conditional on work-focused interview), after subsection (7) insert—

“(7A) Information supplied in pursuance of regulations under this section shall be taken for all purposes to be information relating to social security.”

- (2) In section 2AA of that Act (full entitlement to certain benefits conditional on work-focused interview for partner), after subsection (6) insert—

“(6A) Information supplied in pursuance of regulations under this section shall be taken for all purposes to be information relating to social security.”

- (3) In Schedule 1 to the Jobseekers Act 1995 (c. 18) (supplementary provisions relating to jobseeker's allowance), at the end insert—

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### “Treatment of information supplied as information relating to social security

19 Information supplied in pursuance of any provision made by or under this Act shall be taken for all purposes to be information relating to social security.”

(4) In section 72 of the Welfare Reform and Pensions Act 1999 (c. 30) (supply of information for certain purposes)—

- (a) in subsection (1)(a) and (b), after “social security information” insert “, or information relating to employment or training, ”, and
- (b) in subsection (7), for “purposes connected with employment or training includes purposes connected with” substitute “ information relating to, or purposes connected with, employment or training includes information relating to, or purposes connected with, ”.

## <sup>F6</sup>35 Persons under pensionable age to take part in work-focused interviews etc.

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#### Textual Amendments

**F6** [S. 35](#) repealed (1.4.2013 for specified purposes) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(3), [Sch. 14 Pt. 1](#); [S.I. 2013/358](#), art. 8(c), [Sch. 4](#) (with arts. 910Sch. 5)

#### Commencement Information

**I5** [S. 35](#) in force at 10.2.2010 by [S.I. 2010/293](#), art. 2(1)(b)

PROSPECTIVE

## <sup>F7</sup>36 Power to rename council tax benefit

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#### Textual Amendments

**F7** [S. 36](#) repealed (1.4.2013 for specified purposes) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(3), [Sch. 14 Pt. 1](#); [S.I. 2013/358](#), art. 8(c), [Sch. 4](#) (with arts. 910Sch. 5)

## 37 Minor amendments

- (1) Sections 80 and 81 of the Benefits Act (which continue to have effect in certain cases despite their repeal by the Tax Credits Act 2002 (c. 21)) are to have effect as if the references in those sections to a child or children included references to a qualifying young person or persons.
- (2) “Qualifying young person” has the same meaning as in Part 9 of the Benefits Act.

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- (3) In section 150(2) of the Benefits Act (interpretation of Part 10: Christmas bonus), in the definition of “qualifying employment and support allowance”, for “an employment and support allowance” substitute “a contributory allowance”.
- (4) Despite the provision made by the Welfare Reform Act 2007 (Commencement No. 6 and Consequential Provisions) Order 2008 (S.I. 2008/ 787), paragraph 9(7) and (8) of Schedule 3 to the Welfare Reform Act 2007 (c. 5) (which amend sections 88 and 89 of the Benefits Act) are deemed not to be in force by virtue of the provision made by that order at any time after the passing of this Act.
- (5) In this section “the Benefits Act” means the Social Security Contributions and Benefits Act 1992 (c. 4).

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**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](#)