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STATUTORY INSTRUMENTS

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**2008 No. 411 (C. 16)**

**SOCIAL SECURITY**

**The Welfare Reform Act 2007  
(Commencement No. 5) Order 2008**

*Made - - - - 18th February 2008*

The Secretary of State for Work and Pensions, in exercise of the powers conferred by sections 70(2) of the Welfare Reform Act 2007(1), makes the following Order:

**Citation and interpretation**

1.—(1) This Order may be cited as the Welfare Reform Act 2007 (Commencement No. 5) Order 2008.

(2) In this Order “the Act” means the Welfare Reform Act 2007.

**Appointed Days**

2.—(1) For the purpose only of conferring power to make regulations 1st April 2008 is the appointed day for the coming into force of—

- (a) section 32 of the Act (housing benefit and council tax benefit for persons taking up employment);
- (b) section 33 of the Act (section 32: supplemental); and
- (c) section 34 of the Act (sections 32 and 33: interpretation).

(2) For all other purposes 6th October 2008 is the appointed day for the coming into force of the provisions specified in paragraph (1).

(3) 1st April 2008 is the appointed day for the coming into force of—

- (a) section 38 of the Act (duty to send inspection reports to the Secretary of State);
- (b) section 39 of the Act (directions by the Secretary of State); and
- (c) paragraphs 5 to 7 and 9 of Schedule 5 to the Act (minor and consequential amendments relating to Part 2) in so far as they relate to the amendment of sections 139E, 139F, 139G and 140B(5A) of the Social Security Administration Act 1992 and section 40 of the Act in so far as it relates those amendments.

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(4) For the purpose only of conferring power to make regulations 19th February 2008 is the appointed day for the coming into force of—

(a) section 46 of the Act (local authority powers to investigate fraud); and

(b) section 47 of the Act (local authority powers to prosecute benefit fraud).

(5) For all other purposes 7th April 2008 is the appointed day for the coming into force of the provisions specified in paragraph (4).

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

18th February 2008

*Stephen C. Timms*  
Minister of State,  
Department for Work And Pensions

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force the following provisions in the Welfare Reform Act 2007 (“the Act”)—

- (a) section 32 of the Act (housing benefit and council tax benefit for persons taking up employment);
- (b) section 33 of the Act (section 32: supplemental);
- (c) section 34 of the Act (sections 32 and 33: interpretation);
- (d) section 38 of the Act (duty to send inspection reports to the Secretary of State);
- (e) section 39 of the Act (directions by Secretary of State);
- (f) section 46 (local authority powers to investigate benefit fraud);
- (g) section 47 (local authority powers to prosecute benefit fraud); and
- (h) paragraphs 5 to 7 and 9 of Schedule 5 (minor and consequential amendments relating to Part 2) in so far as it relates to the amendment of sections 139E, 139F, 139G and 140B(5A) of the Social Security Administration Act 1992 and section 40 of the Act in so far as it relates those consequential amendments.

A full impact assessment has not been published for this instrument as it has no impact on the costs of businesses, charities and the voluntary sector.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

The following provisions of the Act have been or will be brought into force by commencement order made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 30(1)	7 <sup>th</sup> April 2008	<a href="#">2007/2872</a>
Section 30(2) (partially)	1 <sup>st</sup> October 2007	<a href="#">2007/2872</a>
Section 30(2) (for all other purposes)	7 <sup>th</sup> April 2008	<a href="#">2007/2872</a>
Section 30(3) (partially)	1 <sup>st</sup> October 2007	<a href="#">2007/2872</a>
Section 30(3) (for all other purposes)	7 <sup>th</sup> April 2008	<a href="#">2007/2872</a>
Section 31 (partially)	14 <sup>th</sup> June 2007	<a href="#">2007/1721</a>
Section 31 (for all other purposes)	1 <sup>st</sup> November 2007	<a href="#">2007/1721</a>
Section 35(1) (partially)	1 <sup>st</sup> October 2007	<a href="#">2007/2872</a>
Section 35(1) (for all other purposes)	7 <sup>th</sup> April 2008	<a href="#">2007/2872</a>

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 35(2) (partially)	1 <sup>st</sup> October 2007	<a href="#">2007/2872</a>
Section 35(2) (for all other purposes)	7 <sup>th</sup> April 2008	<a href="#">2007/2872</a>
Section 35(3)	7 <sup>th</sup> April 2008	<a href="#">2007/2872</a>
Section 41(1)	1 <sup>st</sup> October 2007	<a href="#">2007/2819</a>
Section 52	1 <sup>st</sup> October 2007	<a href="#">2007/2819</a>
Section 53	1 <sup>st</sup> October 2007	<a href="#">2007/2819</a>
Section 58 (partially)	12 <sup>th</sup> July 2007	<a href="#">2007/1991</a>
Section 58 (for all other purposes)	10 <sup>th</sup> August 2007	<a href="#">2007/1991</a>
Section 60 (partially)	1 <sup>st</sup> October 2007	<a href="#">2007/2819</a>
Section 60 (for all other purposes)	29 <sup>th</sup> October 2007	<a href="#">2007/2819</a>
Section 63 (partially)	1 <sup>st</sup> October 2007	<a href="#">2007/2819</a>
Section 67 (partially)	1 <sup>st</sup> October 2007	<a href="#">2007/2819</a>
Schedule 5 (partially)	7 <sup>th</sup> April 2008	<a href="#">2007/2872</a>
Schedule 6 (partially)	12 <sup>th</sup> July 2007	<a href="#">2007/1991</a>
Schedule 7 (partially)	1 <sup>st</sup> October 2007	<a href="#">2007/2819</a>
Schedule 8 (partially)	1 <sup>st</sup> October 2007	<a href="#">2007/2819</a>
Schedule 8 (partially)	7 <sup>th</sup> April 2008	<a href="#">2007/2872</a>