
STATUTORY INSTRUMENTS

2009 No.775 (C. 49)

SOCIAL SECURITY

The Welfare Reform Act 2007 (Commencement No. 10, Transitional and Savings Provisions) Order 2009

Made - - - - 23rd March 2009

The Secretary of State for Work and Pensions makes the following Order in exercise of the powers conferred by sections 68 and 70(2) of the Welfare Reform Act 2007⁽¹⁾.

Citation and interpretation

1.—(1) This Order may be cited as the Welfare Reform Act 2007 (Commencement No. 10, Transitional and Savings Provisions) Order 2009.

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

Appointed days

2. 27th March 2009 is the day appointed for the coming into force of the following provisions of the Act—

- (a) section 36 (supply of information by rent officers);
- (b) section 67 and Schedule 8 (repeals) in so far as those provisions relate to the partial repeal of sections 37(2) (widowed mother’s allowance) and 39A(3) (widowed parent’s allowance) of the Social Security Contributions and Benefits Act 1992⁽²⁾.

Transitional and savings provision

3. In cases to which article 3(2) of the Tax Credits Act 2002 (Commencement No. 3 and Transitional Provisions and Savings) Order 2003⁽³⁾ applies, sections 37 (widowed mother’s allowance) and 39A (widowed parent’s allowance) of the Social Security Contributions and Benefits

(1) 2007 c.5.
(2) 1992 c.4. Section 37 was amended by paragraphs 24 and 26 of Schedule 3 to the Tax Credits Act 2002 (c.21), section 254(1) of, and paragraph 18 of Schedule 24 to, the Civil Partnership Act 2004 (c.33) and section 1(3) of, and paragraphs 1 and 2 of Schedule 1 to, the Child Benefit Act 2005 (c.6). Section 39A was inserted by section 55(2) of the Welfare Reform and Pensions Act 1999 (c.30) and amended by paragraphs 24 and 28 of Schedule 3 to the Tax Credits Act 2002, section 254(1) of, and paragraph 20 of Schedule 24 to, the Civil Partnership Act 2004 and section 1(3) of, and paragraphs 1 and 3 of Schedule 1 to, the Child Benefit Act 2005.
(3) S.I. 2003/938.

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Act 1992 (as they continue to apply by virtue of article 4 of that Order) have effect as if the repeals specified in article 2(b) of this Order had not come into force.

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

23rd March 2009

Kitty Ussher
Parliamentary Under-Secretary of State
Department for Work and Pensions

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force the following provisions of the Welfare Reform Act 2007—

- (a) section 36 (supply of information by rent officers), and
- (b) section 67 and Schedule 8 (repeals) so far as they relate to the partial repeal of sections 37(2) (widowed mother’s allowance) and 39A(3) (widowed parent’s allowance) of the Social Security Contributions and Benefits Act 1992.

Article 2(a) provides for the commencement of section 36 which inserts section 122F into the Social Security Administration Act 1992. Section 122F enables the Secretary of State to require a rent officer to supply housing benefit information to the Secretary of State for use for purposes listed in that section.

Article 2(b) provides for the commencement of section 67 and Schedule 8 (repeals) so far as they relate to the partial repeal of sections 37(2) and 39A(3) of the Social Security Contributions and Benefits Act 1992. These repeals are consequential on the commencement of sections 50 and 51 of the 2007 Act made by the Welfare Reform Act 2007 (Commencement No. 7, Transitional and Savings Provisions) Order 2008 ([S.I. 2008/2101](#)).

Article 3 makes transitional and savings provision relating to article 2(b). It concerns entitlement to widowed mother’s allowance and widowed parent’s allowance for the cases to which article 3(2) of the Tax Credits Act 2002 (Commencement No. 3 and Transitional Provisions and Savings) Order 2003 applies (broadly speaking, persons entitled to a child dependency increase before 6th April 2003).

A full impact assessment has not been produced for this instrument as it has no impact on the private or voluntary sectors.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Act have been brought into force by commencement orders made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1	27th October 2008	2008/787
Section 2(1)(a) and (c) and (4)(a) and (c) (partially)	18th March 2008	2008/787
Section 2 (for all other purposes)	27th October 2008	2008/787
Section 3(1)(c) and (2)(b) and (d) (partially)	18th March 2008	2008/787
Section 3(3) for the purposes of prescribing a payment under paragraph (b) of the definition of “pension payment” (partially)	18th March 2008	2008/787
Section 3 (for all other purposes)	27th October 2008	2008/787

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 4(2)(a), (3) and (6)(a) and (c) (partially)	18th March 2008	2008/787
Section 4 (for all other purposes)	27th October 2008	2008/787
Section 5(2) and (3) (partially)	18th March 2008	2008/787
Section 5 (for all other purposes)	27th October 2008	2008/787
Sections 6 and 7	27th October 2008	2008/787
Section 8 except for subsection (4)(c) (partially)	18th March 2008	2008/787
Section 8 (for all other purposes)	27th October 2008	2008/787
Section 9 except for subsection (4)(c) (partially)	18th March 2008	2008/787
Section 9 (for all other purposes)	27th October 2008	2008/787
Section 10	27th October 2008	2008/787
Section 11(1), (2)(a) to (g), (3) to (5), (6)(a) and (7)(c) (partially)	18th March 2008	2008/787
Section 11 (for all other purposes)	27th October 2008	2008/787
Section 12(1), (2)(a) to (h) and (3) to (7) (partially)	18th March 2008	2008/787
Section 12 (for all other purposes)	27th October 2008	2008/787
Section 13(7)	27th October 2008	2008/2772
Section 14(1) and (2)(a) and (b) (partially)	18th March 2008	2008/787
Section 14 (for all other purposes)	27th October 2008	2008/787
Section 16(2)(a) and (4) (partially)	18th March 2008	2008/787
Section 16 (for all other purposes)	27th October 2008	2008/787
Section 17 (partially)	18th March 2008	2008/787
Section 17 (for all other purposes)	27th October 2008	2008/787
Section 18(1), (2) and (4) (partially)	18th March 2008	2008/787
Section 18 (for all other purposes)	27th October 2008	2008/787
Section 19	27th October 2008	2008/787
Section 20(2) to (7) (partially)	18th March 2008	2008/787
Section 20 (for all other purposes)	27th October 2008	2008/787
Section 21	27th October 2008	2008/787
Section 22 insofar as it relates to paragraphs 1 to 7, 8(1), 9, 10, 12 and 14 of Schedule 2 (partially)	18th March 2008	2008/787
Section 22 (for all other purposes)	27th October 2008	2008/787
Section 23(1) and (3) (partially)	18th March 2008	2008/787

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 23 (for all other purposes)	27th October 2008	2008/787
Section 24(1) for the purpose of defining “employed”, “employment”, “period of limited capability for work”, “prescribed”, “regulations” and “week” (partially)	18th March 2008	2008/787
Section 24(2)(b) and (3) (partially)	18th March 2008	2008/787
Section 24 (for all other purposes)	27th October 2008	2008/787
Section 25(1) to (5) (partially)	18th March 2008	2008/787
Section 25(2)(b) (for all other purposes)	27th July 2008	2008/787
Section 25(1), (2)(a) and (c) and (3) to (7) (for all other purposes)	27th October 2008	2008/787
Section 26(2) (partially)	18th March 2008	2008/787
Section 26 (for all other purposes)	27th October 2008	2008/787
Section 27	27th October 2008	2008/787
Section 28(1) insofar as it relates to certain provisions of Schedule 3 (partially)	18th March 2008	2008/787
Section 28(1) (partially)	27th July 2008	2008/787
Section 28(1) (partially)	27th October 2008	2008/787
Section 28(2) (partially)	18th March 2008	2008/787
Section 28(2) (for all other purposes)	27th October 2008	2008/787
Section 28(3)	27th October 2008	2008/787
Section 29 insofar as it relates to paragraphs 1(1), 2, 3(b), (c) and (d) of Schedule 4 (partially)	18th March 2008	2008/787
Section 29 insofar as it relates to paragraphs 1, 2, 3(b), (c) and (d) (for all other purposes) and 11 of Schedule 4.	27th July 2008	2008/787
Section 29 insofar as it relates to paragraph 10 of Schedule 4 (partially)	11th December 2008	2008/3167
Section 30(1)	7th April 2008	2007/2872
Section 30(2) (partially)	1st October 2007	2007/2872
Section 30(2) (for all other purposes)	7th April 2008	2007/2872
Section 30(3) (partially)	1st October 2007	2007/2872
Section 30(3) (for all other purposes)	7th April 2008	2007/2872
Section 31 (partially)	14th June 2007	2007/1721
Section 31 (for all other purposes)	1st November 2007	2007/1721
Section 32 (partially)	1st April 2008	2008/411
Section 32 (for all other purposes)	6th October 2008	2008/411

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 33 (partially)	1st April 2008	2008/411
Section 33 (for all other purposes)	6th October 2008	2008/411
Section 34 (partially)	1st April 2008	2008/411
Section 34 (for all other purposes)	6th October 2008	2008/411
Section 35(1) (partially)	1st October 2007	2007/2872
Section 35(1) (for all other purposes)	7th April 2008	2007/2872
Section 35(2) (partially)	1st October 2007	2007/2872
Section 35(2) (for all other purposes)	7th April 2008	2007/2872
Section 35(3)	7th April 2008	2007/2872
Section 38	1st April 2008	2008/411
Section 39	1st April 2008	2008/411
Section 41(1)	1st October 2007	2007/2819
Section 42 (partially)	5th August 2008	2008/2101
Section 42 (for all other purposes)	1st September 2008	2008/2101
Section 43	1st September 2008	2008/2101
Section 46 (partially)	19th February 2008	2008/411
Section 46 (for all other purposes)	7th April 2008	2008/411
Section 47 (partially)	19th February 2008	2008/411
Section 47 (for all other purposes)	7th April 2008	2008/411
Section 49	1st April 2008	2008/787
Section 50	7th October 2008	2008/2101
Section 51	7th October 2008	2008/2101
Section 52	1st October 2007	2007/2819
Section 53	1st October 2007	2007/2819
Section 58 (partially)	12th July 2007	2007/1991
Section 58 (for all other purposes)	10th August 2007	2007/1991
Section 60 (partially)	1st October 2007	2007/2819
Section 60 (for all other purposes)	29th October 2007	2007/2819
Section 63 (partially)	1st October 2007	2007/2819
Section 67 (partially)	1st October 2007	2007/2819
Section 67 (partially)	27th October 2008	2008/787
Section 67 (partially)	1st September 2008	2008/2101
Section 67 (partially)	7th October 2008	2008/2101
Schedule 1: paragraphs 1(4) and 3(2), 4(1)(a) and (c), (3) and (4), 6(1)(b), (2) to (4), (7) and	18th March 2008	2008/787

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
(8) and 6(5) for the purposes of the meaning of “couple”, “education” and “remunerative work” (partially)		
Schedule 1 (for all other purposes)	27th October 2008	2008/787
Schedule 2: paragraphs 1 to 7, 8(1), 9, 10, 12 and 14 (partially)	18th March 2008	2008/787
Schedule 2 (for all other purposes)	27th October 2008	2008/787
Schedule 3: paragraphs 7(1) and (8), 8, 9(1), (3)(b) and (4), 10(1), (2), (3) to (8), (12) and (32), 12(1) and (5), 15, 17(1), (3), (6) and (7), 18, 20, 23(1) to (5) and (8) and 24 (partially)	18th March 2008	2008/787
Schedule 3: paragraphs 10(1), (2) and (32) and 17(1), (2), (3) and (6) (for all other purposes)	27th July 2008	2008/787
Schedule 3: paragraphs 1 to 4, 6, 7(1), (7) and (8), 8, 9(1) to (4), (6) to (11) and (13), 10(3) to (31), 11 to 16, 17(4), (5), (7) to (9), 18 to 20 and 22 to 24 (for all other purposes)	27th October 2008	2008/787
Schedule 4: paragraphs 1(1), 2, 3(b), (c) and (d) (partially)	18th March 2008	2008/787
Schedule 4: paragraphs 1, 2, 3(b), (c) and (d) (for all other purposes)	27th July 2008	2008/787
Schedule 4: paragraph 10	11th December 2008	2008/3167
Schedule 4: paragraph 11	27th July 2008	2008/787
Schedule 5: paragraphs 5, 6, 7 and 9	1st April 2008	2008/411
Schedule 5: paragraph 12 (partially)	7th April 2008	2007/2872
Schedule 6 (partially)	12th July 2007	2007/1991
Schedule 7 (partially)	1st October 2007	2007/2819
Schedule 8 (partially)	1st October 2007	2007/2819
Schedule 8 (partially)	7th April 2008	2007/2872
Schedule 8 (partially)	1st September 2008	2008/2101
Schedule 8 (partially)	7th October 2008	2008/2101
Schedule 8 (partially)	27th October 2008	2008/787