

2010 No. 2377 (C.116)

SOCIAL SECURITY

**The Welfare Reform Act 2009 (Commencement No. 3) Order
2010**

Made - - - - *27th September 2010*

The Secretary of State for Work and Pensions makes the following Order in exercise of the powers conferred by section 61(3) and (4) of the Welfare Reform Act 2009(a).

Citation and interpretation

1.—(1) This Order may be cited as the Welfare Reform Act 2009 (Commencement No. 3) Order 2010.

(2) In this Order “the Act” means the Welfare Reform Act 2009.

Appointed days

2.—(1) 1st October 2010 is the day appointed for the coming into force of the following provisions of the Act—

- (a) section 12(1) and (3) (conditions for contributory jobseeker’s allowance);
- (b) section 13(1) (conditions for contributory employment and support allowance);
- (c) section 13(4) for the purpose only of conferring power to make regulations.

(2) 1st November 2010 is the day appointed for the coming into force of the following provisions of the Act—

- (a) section 12(2), (4) and (6);
- (b) section 13(2) and (3);
- (c) section 13(4) (so far as that provision is not already in force).

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

27th September 2010

Freud
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 2009—

- (a) section 12(1) to (4) and (6) (conditions for contributory jobseeker's allowance), and
- (b) section 13(1) to (4) (conditions for contributory employment and support allowance).

Section 12 amends the Jobseekers Act 1995 so that the first contribution condition for jobseeker's allowance is met by the claimant having paid, or being treated as having paid, at least 26 weeks of Class 1 contributions on relevant earnings at the base year's lower earnings limit in one of the two tax years prior to the claim. Subsection (3) of that section provides for a regulation-making power which will be used to make provision for determining the claimant's relevant earnings.

Section 13 makes similar amendments to the Welfare Reform Act 2007 in relation to the first contribution condition for an employment and support allowance. Subsection (2) of that section further amends that Act so that the number of tax years in which a person can pay national insurance contributions and qualify for an employment and support allowance is reduced from three years to two.

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 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 10	10th February 2010	2010/293
Section 14 (for the purpose of conferring the power to make regulations)	11th April 2010	2010/293
Section 14 (partially)	15th October 2010	2010/293
Section 14 (for all other purposes)	11th April 2011	2010/293
Section 24 (for the purpose of conferring the power to make regulations)	12th January 2010	2010/45
Section 24 (for all other purposes)	1st April 2010	2010/45
Section 26	22nd March 2010	2010/293
Section 33 (for the purpose of conferring the power to make regulations)	10th February 2010	2010/293
Section 33 (for all other purposes)	6th April 2010	2010/293
Section 35	10th February 2010	2010/293
Section 55(3) and section 55(1) (in so far as it relates to section 55(3))	14th January 2010	2010/45
Section 58(1) (partially)	22nd March 2010	2010/293
Section 58(1) (partially)	1st April 2010	2010/293
Schedule 4 (for the purpose of conferring the power to make regulations)	12th January 2010	2010/45
Schedule 4 (for all other purposes)	1st April 2010	2010/45
Part 3 of Schedule 7 (partially)	22nd March 2010	2010/293
Part 3 of Schedule 7 (partially)	1st April 2010	2010/293

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STATUTORY INSTRUMENTS

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