

WELFARE REFORM ACT 2009

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 3: Child maintenance

Section 52: Report on operation of driving licence amendments

256. *Section 52* makes provision for the Commission to pilot, for a period of two years, the power to disqualify the non-resident parent from driving. *Section 52(1)* requires the Secretary of State to prepare and lay before Parliament a report on the operation of the driving licence amendments during the ‘review period’. Under *section 52(2)* the ‘review period’ is the period of 24 months beginning with the day that the amendments relating to driving licences come into force. The report must be laid before parliament within six months of the end of the review period (*section 52(3)*).
257. At the end of the review period the Secretary of State must decide whether to continue to operate the amendments providing for the administrative removal of driving licences, or whether to restore the law to the existing position (namely, the court based removal of driving licences). Under *section 52(4) and (5)* the Secretary of State may make an order providing for the amendments to continue to have effect. This order shall be subject to affirmative resolution, and must be made within 30 days from the date on which the report is laid before parliament. Under *section 52(6)*, if no order is made under *section 52(4)*, the Secretary of State may make an order reinstating the law as it would have been but for the amendments. This order is to be made using the negative resolution procedure.