
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.