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## EXPLANATORY NOTE

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

This Order brings into force on 12th January 2010, for regulation making purposes, and 1st April 2010, for all other purposes, section 24 of and Schedule 4 to the Welfare Reform Act 2009 (c. 24) (“the Act”). These provisions insert new sections, concerning sanctions leading to benefit loss, into the Social Security Fraud Act 2001 (c. 11), the Social Security Administration Act 1992 (c. 5) and the Social Security Act 1998 (c. 14).

Section 24 inserts the following new sections into the Social Security Fraud Act 2001:

- section 6A, which provides the meaning of “disqualifying benefit” and “sanctionable benefit” in relation to benefit sanctions for offenders;
- section 6B, which provides for loss of benefit in case of conviction, penalty or caution for benefit offences;
- section 6C, which provides supplementary provisions for section 6B, including action to take where convictions are quashed, successfully appealed, or where a new penalty is imposed.

Schedule 4 makes amendments to the Social Security Fraud Act 2001, the Social Security Administration Act 1992 and the Social Security Act 1998 in relation to loss of benefit provisions. These amendments are mainly concerned with changes to accommodate the new sections inserted into the Social Security Fraud Act 2001 and changes to certain definitions connected with sanctions.

This Order also brings into force on 14th January 2010 section 55(3) of the Act. Section 55 amends section 14A (offences relating to information) of the Child Support Act 1991 (c. 48) (“the 1991 Act”). Section 14A(2) of the 1991 Act provides that it is an offence for a person to knowingly make a false statement or representation or knowingly provide, or cause or allow to be provided, a document or other information which is false. Section 55(3) inserts new subsections (6) to (8) into section 14A of the 1991 Act, setting a time limit of 12 months in which to commence proceedings for prosecution of the offence.

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