

2018 No. 145 (C. 15)

SOCIAL SECURITY

**The Welfare Reform Act 2012 (Commencement No. 30 and
Transitory Provisions) Order 2018**

Made - - - - *6th February 2018*

The Secretary of State for Education makes the following Order in exercise of the powers conferred by section 150(3) and (4) of the Welfare Reform Act 2012(a).

Citation and interpretation

1.—(1) This Order may be cited as the Welfare Reform Act 2012 (Commencement No. 30 and Transitory Provisions) Order 2018.

(2) In this Order, “the 1996 Act” means the Education Act 1996(b).

Appointed day

2. The day appointed for the coming into force of section 147 of, and Schedule 14 to, the Welfare Reform Act 2012 (both of which deal with repeals)(c) insofar as they relate to section 512ZB(4) of the 1996 Act, is 31st March 2022.

Transitory provisions

3.—(1) In the circumstances referred to in paragraphs (2) to (6), C’s eligibility for a free school lunch ceases on the cessation day.

(2) Where C—

(a) does not, on or after 1st April 2018 become eligible for a free school lunch pursuant to paragraphs (a)(ai) or (b)(ai) of subsection (4) of section 512ZB(d) of the 1996 Act, but

(b) was, on 31st March 2018, eligible, or after that date becomes eligible, for such a lunch pursuant to paragraphs (a)(i) to (iia), (aa), (b)(i) to (iia) or (c)(ii) of that subsection.

(3) Where C was eligible for a free school lunch pursuant to subsection (4)(a)(ai) or (b)(ai) of section 512ZB of the 1996 Act on 31st March 2018 whether or not those provisions subsequently cease to apply in relation to C.

(4) Where C becomes eligible for a free school lunch pursuant to paragraph (a)(ai) or (b)(ai) of subsection (4) of section 512ZB of the 1996 Act on, or after, 1st April 2018 whether or not those provisions subsequently cease to apply in relation to C and regardless of whether C was so eligible

(a) 2012 c. 5.

(b) 1996 c. 56.

(c) Schedule 14, insofar as it relates to subsection (4) of section 512ZB of the Education Act 1996, repeals parts of that subsection relating to universal credit.

(d) Section 512ZB was inserted by section 201 of the Education Act 2002 (c. 32) and paragraphs (a)(ai) and (b)(ai) of subsection (4) of that section were inserted by section 31 of, and Schedule 2 to, the Welfare Reform Act 2012.

before so doing pursuant to paragraphs (a)(i) to (ia), (aa), (b)(i) to (ia) or (c)(ii) of that subsection.

(5) Where C is eligible for a free school lunch by virtue of attending a qualifying institution to pursue a study programme of further education funded by the Education and Skills Funding Agency(a) which C commenced between the ages of 16 to 18 (inclusive).

(6) Where C has attained the age of 19 and is eligible for a free school lunch pursuant to an EHC plan referred to in section 37 of the Children and Families Act 2014(b).

(7) The cessation day is the later of—

(a) 31st March 2022; and

(b) the day on which—

(i) C completes primary education as defined in section 2 of the 1996 Act(c) (if C were at that stage of education on 31st March 2022);

(ii) C completes secondary education as defined in that section (if C were at that stage of education on 31st March 2022);

(iii) C completes further education at an institution within the further education sector within the meaning of section 91 of the Further and Higher Education Act 1992(d) (if C were at that stage of education on 31st March 2022);

(iv) C completes, after having attained the age of 19, the study programme of further education referred to in paragraph (5);

(v) an EHC plan referred to in paragraph (6) ends.

Signed by authority of the Secretary of State for Education

Nadhim Zahawi
Parliamentary Under Secretary of State
Department for Education

6th February 2018

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is the 30th Order commencing provisions of the Welfare Reform Act 2012 (c. 5) and makes associated transitory provisions.

Article 2 appoints 31st March 2022 as the day for bringing into force section 147 of, and Schedule 14 to, the Welfare Reform Act 2012 insofar as they relate to repeals of provisions of section 512ZB(4) of the Education Act 1996 relating to universal credit.

Article 3 makes transitory provision in relation to a person (C) who is eligible for a free school lunch and milk by virtue of satisfying certain conditions under section 512ZB(4) of the Education Act 1996. Article 3 provides that where C was entitled to a free school lunch in specified cases by virtue of:

- being eligible for certain social security benefits,
- undertaking certain educational courses,
- being subject to an EHC plan (education, health and care plan),

such entitlement ceases on the cessation day which is the later of (a) 31st March 2022, and (b) as the case may be, the completion of the stage of education C was at on 31st March 2022, the completion of the educational course in question or the ending of any EHC plan C was subject to.

(a) The Education and Skills Funding Agency is an executive agency sponsored by the Department for Education.

(b) 2014 c. 6. EHC plans (health, education and care plans) under section 37 are a form of special education provision made following an education, health and care assessment of a child or young person under section 36 of the Act.

(c) 1996 c. 56.

(d) 1992 c. 13.

No impact assessment has been prepared for this Order as it has minimal impact on business, civil society organisations or the public sector.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Welfare Reform Act 2012 (c. 5) were brought into force by a Statutory Instrument which was made before this Order was made.

<i>Provision</i>	<i>Date of commencement</i>	<i>S.I. Number</i>
Section 1 (partially)	29th April 2013	2013/983
Section 1 (partially)	1st July 2013	2013/1511
Section 1 (partially)	29th July 2013	2013/1511
Section 1 (partially)	28th October 2013	2013/2657
Section 1 (partially)	25th November 2013	2013/2846
Section 1 (partially)	24th February 2014	2014/209
Section 1 (partially)	7th April 2014	2014/209
Section 1 (partially)	23rd June 2014	2014/1583
Section 1 (partially)	30th June 2014	2014/1583
Section 1 (partially)	30th June 2014	2014/1661
Section 1 (partially)	7th July 2014	2014/1583
Section 1 (partially)	14th July 2014	2014/1583
Section 1 (partially)	21st July 2014	2014/1583
Section 1 (partially)	28th July 2014	2014/1583
Section 1 (partially)	28th July 2014	2014/1923
Section 1 (partially)	15th September 2014	2014/2321
Section 1 (partially)	22nd September 2014	2014/2321
Section 1 (partially)	29th September 2014	2014/2321
Section 1 (partially)	6th October 2014	2014/2321
Section 1 (partially)	13th October 2014	2014/2321
Section 1 (partially)	20th October 2014	2014/2321
Section 1 (partially)	27th October 2014	2014/2321
Section 1 (partially)	3rd November 2014	2014/2321
Section 1 (partially)	10th November 2014	2014/2321
Section 1 (partially)	17th November 2014	2014/2321
Section 1 (partially)	24th November 2014	2014/2321
Section 1 (partially)	24th November 2014	2014/3067
Section 1 (partially)	26th November 2014	2014/3094
Section 1 (partially)	1st December 2014	2014/2321
Section 1 (partially)	8th December 2014	2014/2321
Section 1 (partially)	15th December 2014	2014/2321
Section 1 (partially)	26th January 2015	2015/32
Section 1 (partially)	28th January 2015	2015/33
Section 1 (partially)	16th February 2015	2015/101
Section 1 (partially)	23rd February 2015	2015/101
Section 1 (partially)	2nd March 2015	2015/32
Section 1 (partially)	2nd March 2015	2015/101
Section 1 (partially)	9th March 2015	2015/101
Section 1 (partially)	16th March 2015	2015/101
Section 1 (partially)	18th March 2015	2015/634
Section 1 (partially)	23rd March 2015	2015/101
Section 1 (partially)	6th April 2015	2015/32

Section 1 (partially)	6th April 2015	2015/101
Section 1 (partially)	13th April 2015	2015/101
Section 1 (partially)	20th April 2015	2015/101
Section 1 (partially)	27th April 2015	2015/101
Section 1 (partially)	4th May 2015	2015/101
Section 1 (partially)	11th May 2015	2015/101
Section 1 (partially)	18th May 2015	2015/101
Section 1 (partially)	25th May 2015	2015/101
Section 1 (partially)	1st June 2015	2015/101
Section 1 (partially)	8th June 2015	2015/101
Section 1 (partially)	10th June 2015	2015/634
Section 1 (partially)	15th June 2015	2015/101
Section 1 (partially)	22nd June 2015	2015/101
Section 1 (partially)	29th June 2015	2015/101
Section 1 (partially)	6th July 2015	2015/101
Section 1 (partially)	13th July 2015	2015/101
Section 1 (partially)	20th July 2015	2015/101
Section 1 (partially)	21st September 2015	2015/1537
Section 1 (partially)	28th September 2015	2015/1537
Section 1 (partially)	5th October 2015	2015/1537
Section 1 (partially)	12th October 2015	2015/1537
Section 1 (partially)	19th October 2015	2015/1537
Section 1 (partially)	26th October 2015	2015/1537
Section 1 (partially)	2nd November 2015	2015/1537
Section 1 (partially)	4th November 2015	2015/634
Section 1 (partially)	9th November 2015	2015/1537
Section 1 (partially)	16th November 2015	2015/1537
Section 1 (partially)	23rd November 2015	2015/1537
Section 1 (partially)	30th November 2015	2015/1537
Section 1 (partially)	2nd December 2015	2015/1930
Section 1 (partially)	7th December 2015	2015/1537
Section 1 (partially)	14th December 2015	2015/1537
Section 1 (partially)	11th January 2016	2015/1537
Section 1 (partially)	18th January 2016	2015/1537
Section 1 (partially)	25th January 2016	2015/1537
Section 1 (partially)	27th January 2016	2016/33
Section 1 (partially)	1st February 2016	2015/1537
Section 1 (partially)	8th February 2016	2015/1537
Section 1 (partially)	15th February 2016	2015/1537
Section 1 (partially)	22nd February 2016	2015/1537
Section 1 (partially)	24th February 2016	2016/33
Section 1 (partially)	29th February 2016	2015/1537
Section 1 (partially)	7th March 2016	2015/1537
Section 1 (partially)	14th March 2016	2015/1537
Section 1 (partially)	21st March 2016	2015/1537
Section 1 (partially)	23rd March 2016	2016/407
Section 1 (partially)	28th March 2016	2015/1537
Section 1 (partially)	11th April 2016	2015/1537
Section 1 (partially)	18th April 2016	2015/1537
Section 1 (partially)	25th April 2016	2015/1537
Section 1 (partially)	27th April 2016	2016/407
Section 2(1) (partially)	As section 1	As section 1
Section 2(2)	25th February 2013	2013/358

Section 3 (partially)	As section 1	As section 1
Section 4(1) and (4) (partially)	As section 1	As section 1
Section 4(2), (3) and (5) to (7)	25th February 2013	2013/358
Section 5 (partially)	25th February 2013	2013/358
Section 5 (partially)	As section 1	As section 1
Section 6(1)(a) and (3) (partially)	25th February 2013	2013/358
Section 6 (partially)	As section 1	As section 1
Section 7(1) and (4) (partially)	As section 1	As section 1
Section 7(2) and (3)	25th February 2013	2013/358
Section 8 (partially)	As section 1	As section 1
Section 8(3) (partially)	25th February 2013	2013/358
Section 9(1) (partially)	As section 1	As section 1
Sections 9(2) and (3), 10(2) to (5) and 11(3) to (5)	25th February 2013	2013/358
Section 10(1) (partially)	As section 1	As section 1
Section 11(1) and (2) (partially)	As section 1	As section 1
Section 12(1) (partially)	25th February 2013	2013/358
Section 12(1) and (2) (partially)	As section 1	As section 1
Section 12(3) and (4)	25th February 2013	2013/358
Section 13 (partially)	As section 1	As section 1
Section 14 (partially)	As section 1	As section 1
Section 14(5) (partially)	25th February 2013	2013/358
Section 15(1) and (4) (partially)	As section 1	As section 1
Sections 15(2) and (3) and 17(3)(f)	25th February 2013	2013/358
Section 16 (partially)	As section 1	As section 1
Section 17(1), (2), (3)(a) to (e), (4) and (5) (partially)	As section 1	As section 1
Section 17(4) and (5) (partially)	25th February 2013	2013/358
Section 18 (partially)	As section 1	As section 1
Section 18(3) and (5) (partially)	25th February 2013	2013/358
Section 19(1), (2)(a) to (c), (5) and (6) (partially)	As section 1	As section 1
Section 19(2)(d), (3) and (4)	25th February 2013	2013/358
Section 20(1) (partially)	25th February 2013	2013/358
Section 20 (partially)	As section 1	As section 1
Section 21 (partially)	As section 1	As section 1
Section 22 (partially)	As section 1	As section 1
Section 22(2) (partially)	25th February 2013	2013/358
Section 23 (partially)	As section 1	As section 1
Sections 24(1), (5) and (6) and 25	25th February 2013	2013/358
Section 24(2), (3) and (4) (partially)	As section 1	As section 1
Section 26(1) to (5) (partially)	As section 1	As section 1
Section 26(2)(a) (partially)	25th February 2013	2013/358
Sections 26(6) to (8), 27(4), (5) and (9) and 28	25th February 2013	2013/358
Section 27(1) to (3) and (6) to (8) (partially)	As section 1	As section 1
Section 29	29th April 2013	2013/983
Sections 30 and 31 (partially)	25th February 2013	2013/358
Section 31 (partially)	1st April 2013	2013/358
Section 31 (partially)	29th April 2013	2013/358
Section 31 (partially)	29th April 2013	2013/983
Section 32	25th February 2013	2013/358

Section 33(1)(a) and (b), (2) and (3) (partially)	16th June 2014	2014/1452
Section 33(1)(a) and (b), (2) and (3) (partially)	As section 1	As section 1
Section 33(1)(e)	1st April 2013	2013/358
Sections 33(3) (partially)	1st April 2013	2013/358
Section 35 (partially)	25th February 2013	2013/358
Section 35 (partially)	29th April 2013	2013/983
Section 36 (partially)	25th February 2013	2013/358
Sections 37(3) to (7) and 39(3)(a)	25th February 2013	2013/358
Section 37 (for all remaining purposes)	29th April 2013	2013/983
Section 38	29th April 2013	2013/983
Section 39 (partially)	25th February 2013	2013/358
Section 39 (for all remaining purposes)	29th April 2013	2013/983
Sections 40, 42 and 43	25th February 2013	2013/358
Section 41	15th September 2014	2014/2321
Section 44(1) (partially)	As section 33(1)(a) and (b)	As section 33(1)(a) and (b)
Section 44(2) (partially)	As section 33(1)(a) and (b)	As section 33(1)(a) and (b)
Section 44(5)	10th June 2012	2012/1246
Section 45	8th October 2012	2012/2530
Section 46(1) and (3) (partially)	10th June 2012	2012/1246
Section 46(1) (partially)	22nd October 2012	2012/2530
Section 46(1) (for all remaining purposes)	19th June 2017	2017/664
Section 46(2)	10th June 2012	2012/1246
Section 46(3) (for all remaining purposes)	22nd October 2012	2012/2530
Section 46(4)	22nd October 2012	2012/2530
Section 47	20th March 2012	2012/863
Section 48 (partially)	22nd October 2012	2012/2530
Section 49(1) and (3) (partially)	25th February 2013	2013/358
Section 49(1), (2) and (3) to (5) (partially)	As section 33(1)(a) and (b)	As section 33(1)(a) and (b)
Section 49(6)	25th February 2013	2013/358
Section 51 (partially)	20th March 2012	2012/863
Section 51 (for all remaining purposes)	1st May 2012	2012/863
Sections 52 and 53	1st May 2012	2012/863
Section 54(1) (partially)	25th February 2013	2013/358
Section 54(1) and (2) (partially)	As section 33(1)(a) and (b)	As section 33(1)(a) and (b)
Section 54(6)	25th February 2013	2013/358
Section 55	3rd December 2012	2012/2530
Section 56	26th November 2012	2012/2530
Section 57(1) and (2) (partially)	25th February 2013	2013/358
Section 57(1), (2), (4), (5) and (9) (partially)	As section 33(1)(a) and (b)	As section 33(1)(a) and (b)
Section 57(6)	25th February 2013	2013/358
Section 58(1) and (2)	20th March 2012	2012/863
Section 64 (partially)	30th October 2012	2012/2530
Section 64 (for all remaining purposes)	5th December 2012	2012/2530
Section 65	5th December 2012	2012/2530
Section 66 (partially)	30th October 2012	2012/2530

Section 66 (partially)	31st October 2013	2013/2534
Sections 67 and 68	5th December 2012	2012/2530
Section 69 (partially)	27th November 2012	2012/2946
Section 69 (for all remaining purposes)	1st January 2013	2012/2946
Section 70(1) and (3) to (10)	1st April 2013	2012/3090
Section 70(2)	1st August 2013	2012/3090
Section 73	1st April 2013	2012/3090
Section 77(3) (partially)	25th February 2013	2013/358
Section 77(1) to (3) (partially)	8th April 2013	2013/358
Section 77(1) to (3) (for all remaining purposes)	10th June 2013	2013/1250
Section 78(1), (2), (5) and (6) (partially)	8th April 2013	2013/358
Section 78(1), (2), (5) and (6) (for all remaining purposes)	10th June 2013	2013/1250
Section 78(3) and (4)	25th February 2013	2013/358
Section 79(1), (2), (5) and (6) (partially)	8th April 2013	2013/358
Section 79(1), (2), (5) and (6) (for all remaining purposes)	10th June 2013	2013/1250
Section 79(3), (4) and (7)	25th February 2013	2013/358
Sections 80 and 81	25th February 2013	2013/358
Section 82 (partially)	8th April 2013	2013/358
Section 82 (for all remaining purposes)	10th June 2013	2013/1250
Section 83(3) (partially)	25th February 2013	2013/358
Section 83(1) to (3) and 84 (partially)	8th April 2013	2013/358
Section 83(1) to (3) and 84 (for all remaining purposes)	10th June 2013	2013/1250
Sections 85 and 86	25th February 2013	2013/358
Section 87 (partially)	25th February 2013	2013/358
Section 87 (partially)	8th April 2013	2013/358
Section 87 (for all remaining purposes)	10th June 2013	2013/1250
Sections 88 and 89 (partially)	8th April 2013	2013/358
Sections 88 and 89 (for all remaining purposes)	10th June 2013	2013/1250
Section 91 (partially)	25th February 2013	2013/358
Section 91 (partially)	8th April 2013	2013/358
Section 91 (partially)	10th June 2013	2013/1250
Sections 92, 93 and 94	25th February 2013	2013/358
Section 95 (partially)	25th February 2013	2013/358
Section 95 (partially)	8th April 2013	2013/358
Section 95 (for all remaining purposes)	10th June 2013	2013/1250
Section 96 (partially)	27th November 2012	2012/2946
Section 96 (for all remaining purposes)	15th April 2013	2012/2946
Section 97(1) to (4)	27th November 2012	2012/2946
Section 97(5) and (6)	15th April 2013	2012/2946
Sections 98 and 99	25th February 2013	2013/358
Section 100	25th February 2013	2013/358
Section 101(1) (partially)	25th February 2013	2013/358
Section 101(2)	1st April 2013	2013/358
Section 102(1) (partially)	25th February 2013	2013/358
Section 102(2) to (5)	25th February 2013	2013/358
Section 102(6) (partially)	25th February 2013	2013/358
Section 102(6) (partially)	29 th April 2013	2013/983
Section 104	25th February 2013	2013/358

Section 105(1) (partially)	1st July 2012	2012/1246
Section 105(1) (partially)	1st October 2012	2012/1246
Section 105(1) (partially)	29th April 2013	2013/358
Section 105(3), (5) and (6)	29th April 2013	2013/358
Section 105(4)	1st October 2012	2012/1246
Section 105(7) (partially)	29th April 2013	2013/358
Section 106	1st July 2012	2012/1246
Section 110 (partially)	17th June 2013	2013/1250
Section 110	1st October 2013	2013/1250
Section 112(1) and (2) (partially)	20th April 2016	2016/511
Section 112(1) and (2) (for all remaining purposes)	24th May 2016	2016/511
Section 112(3) to (6)	24th May 2016	2016/511
Sections 113 to 115	8th May 2012	2012/863
Section 116(1) (partially)	10th May 2012	2012/1246
Section 116(1) (for all remaining purposes)	1st October 2012	2012/1246
Section 116(2)	10th May 2012	2012/1246
Section 117(1) (partially)	1st April 2013	2013/358
Section 117(1) (for all remaining purposes)	6th April 2013	2013/358
Section 117(2)	1st April 2013	2013/358
Section 117(3)	6th April 2013	2013/358
Section 118(1), (2), (5) and (8)(b) (partially)	25th February 2013	2013/358
Section 118(1), (2), (5) and (8)(b) (for all remaining purposes)	1st April 2013	2013/358
Sections 118(3), (4), (6), (7) and (8)(a) and (c) and 119	1st April 2013	2013/358
Section 120 (partially)	1st February 2013	2013/178
Section 120 (for all remaining purposes)	6th April 2013	2013/178
Sections 122, 123 and 125(a)	6th June 2012	2012/1246
Sections 128 and 129	20th March 2012	2012/863
Section 130 (partially)	20th March 2012	2012/863
Section 130 (for all remaining purposes)	8th May 2012	2012/863
Section 131 (partially)	20th March 2012	2012/863
Section 131 (for all remaining purposes)	8th May 2012	2012/863
Section 132(8)	20th March 2012	2012/863
Section 132 (for all remaining purposes)	8th May 2012	2012/863
Section 133(1) to (4)	20th March 2012	2012/863
Section 133(6)	2nd July 2012	2012/1651
Sections 136, 140 and 141	25th November 2013	2013/2947
Section 137	30th June 2014	2014/1635
Sections 143, 144 and 146	8th May 2012	2012/863
Schedule 1 (partially)	25th February 2013	2013/358
Schedule 2 (partially)	25th February 2013	2013/358
Schedule 2 (partially)	1st April 2013	2013/358
Schedule 2 (partially)	29th April 2013	2013/358
Schedule 2 (partially)	29th April 2013	2013/983
Schedule 3 (partially)	1st April 2013	2013/358
Schedule 3 (partially)	As section 33(1)(a) and (b)	As section

(a) S.I. 2012/1246 (C. 42) was amended by S.I. 2012/1440 (C. 55) and 2530 (C. 102).

		33(1)(a) and (b)
Schedule 5 (partially)	25th February 2013	2013/358
Schedule 5 (partially)	29th April 2013	2013/983
Schedule 6 (partially)	25th February 2013	2013/358
Schedule 7 (partially)	22nd October 2012	2012/2530
Schedule 8 (partially)	1st April 2013	2012/3090
Schedule 8 (for all remaining purposes)	1st August 2013	2012/3090
Schedule 9 (partially)	25th February 2013	2013/358
Schedule 9 (partially)	8th April 2013	2013/358
Schedule 9 (partially)	10th June 2013	2013/1250
Schedule 10	25th February 2013	2013/358
Schedule 11 (partially)	25th February 2013	2013/358
Schedule 11 (partially)	29th April 2013	2013/983
Part 1 of Schedule 14 (partially)	As Schedule 3	As Schedule 3
Part 3 of Schedule 14 (partially)	22nd October 2012	2012/2530
Parts 4 and 5 of Schedule 14 (partially)	As section 33(1)(a) and (b)	As section 33(1)(a) and (b)
Part 8 of Schedule 14 (partially)	1st April 2013	2012/3090
Part 8 of Schedule 14 (partially)	1st August 2013	2012/3090
Part 11 of Schedule 14 (partially)	1st April 2013	2013/358
Part 11 of Schedule 14 (partially)	29th April 2013	2013/358
Part 14 of Schedule 14	8th May 2012	2012/863

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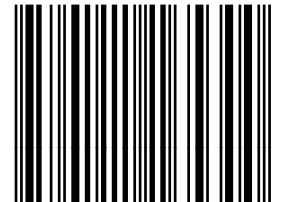
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