This Draft Statutory Instrument has been printed in substitution of the Draft Statutory Instrument of the same title, which was laid before Parliament and published on 22nd October 2012 (ISBN 978-0-11-152979-9), and is being issued free of charge to all known recipients of that Draft Statutory Instrument.

Draft Regulations laid before Parliament under section 49(1) of the Welfare Reform Act 2009, for approval by resolution of each House of Parliament.

D R A F T S T A T U T O R Y I N S T R U M E N T S

2012 No.

DISABLED PERSONS, ENGLAND

The Disabled People's Right to Control (Pilot Scheme) (England) (Amendment) Regulations 2012

Made - - - -	***
Coming into force - -	*12th December 2012*

These Regulations are made in exercise of the powers conferred on the Secretary of State by sections 41, 44, 45(2), 46 and 50 of the Welfare Reform Act 2009(**a**).

These Regulations are made for the purpose mentioned in section 38 of that Act and with a view to ascertaining the matters mentioned in section 44(2)(a) to (c) of that Act.

In accordance with section 47(1) of that Act the Secretary of State published a draft of these Regulations and invited representations to be made to the Secretary of State about the draft, by persons appearing to the Secretary of State to be affected by the Regulations, during the period 28th June to 21st September 2012.

A draft of this instrument has been laid before, and approved by a resolution of, each House of Parliament pursuant to section 49(1) of that Act.

The Secretary of State with the consent of the Treasury(**b**) makes the following Regulations:

Citation, commencement, extent and application

1.—(1) These Regulations may be cited as the Disabled People's Right to Control (Pilot Scheme) (England) (Amendment) Regulations 2012.

(2) These Regulations come into force on 12th December 2012.

(3) These Regulations extend to England and Wales.

(**a**) 2009 c. 24. Section 50 provides that 'prescribed' means specified in, or determined in accordance with, regulations under section 41 of that Act.

(**b**) The consent of the Treasury is required by section 45(3)(a) of the Welfare Reform Act 2009.

(4) These Regulations apply to England only.

Amendment of the 2010 pilot scheme regulations

2.—(1) The Disabled People's Right to Control (Pilot Scheme) (England) Regulations 2010(**a**) are amended as follows.

(2) In regulation 1(4) (duration of pilot scheme), for "2012" substitute "2013".

(3) In regulation 3 (pilot areas), omit paragraph (i).

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

Name
Parliamentary Under-Secretary of State
Department for Work and Pensions

Date

We consent

Name
Name
Two of the Lords Commissioners of Her Majesty's Treasury

Date

(**a**) S.I. 2010/2862.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 41 of the Welfare Reform Act 2009 enables the Secretary of State to make provision by regulations for the purpose of enabling disabled people aged 18 or over to exercise greater choice in relation to, and greater control over, the way in which certain services are provided to or for them by or on behalf of public bodies. Section 44 enables such regulations to make temporary provision as a pilot scheme having effect for a specified period not exceeding 36 months. The pilot scheme under the Disabled People's Right to Control (Pilot Scheme) (England) Regulations 2010 (the 2010 regulations) is currently to have effect for 24 months: it first came into force on 13th December 2010 and is to expire on 13th December 2012.

These Regulations extend that pilot scheme for a further 12 months so that it will expire on 13th December 2013.

The metropolitan district of Oldham will not be participating in the extension so these Regulations remove that metropolitan district from the list of pilot areas in the 2010 regulations.

A full impact assessment has not been produced for this instrument as it has no impact on the private sector or civil society organisations.

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