Draft Order laid before Parliament under section 11 of the Public Bodies Act 2011, for approval by resolution of each House of Parliament after the expiry of the 40-day period referred to in section 11(4) of that Act.

DRAFT STATUTORY INSTRUMENTS

2013 No.

PUBLIC BODIES

The Public Bodies (Abolition of the Disability Living Allowance Advisory Board) Order 2013

Made - - - - [***]
Coming into force in accordance with article 1(2) and (3)

The Secretary of State for Work and Pensions makes the following Order in exercise of the powers conferred by sections 1(1), 6(1) and (5) and 35(2) of the Public Bodies Act 2011(**1**) ("the Act").

In accordance with section 8 of the Act, the Secretary of State considers that this Order—

(a) serves the purpose of improving the exercise of public functions, having had regard to the factors set out in section 8(1); and

(b) does not remove any necessary protection or prevent any person from continuing to exercise any right or freedom which that person might reasonably expect to continue to exercise.

The Secretary of State has consulted in accordance with section 10 of the Act.

A draft of this Order, and an explanatory document containing the information required by section 11(2) of the Act, have been laid before Parliament in accordance with section 11(1) after the end of the period of twelve weeks mentioned in section 11(3). In accordance with section 11(4) of the Act, the draft of this Order has been approved by a resolution of each House of Parliament after the expiry of the 40-day period referred to in that provision.

Citation and commencement

1.—(1) This Order may be cited as the Public Bodies (Abolition of the Disability Living Allowance Advisory Board) Order 2013.

(2) Subject to paragraph (3), this Order comes into force on the day after the day on which it is made.

(3) Article 6 comes into force on the day after that on which the other provisions of this Order come into force by virtue of paragraph (2).

(**1**) 2011 c.24.

Extent

2.—(1) The repeals, revocations and amendments in the Schedule and the repeal in article 6 have the same extent as the enactments so repealed, revoked or amended.

(2) Subject to that, this Order extends to England, Wales and Scotland.

Abolition of the Disability Living Allowance Advisory Board

3. The Disability Living Allowance Advisory Board(**2**) is abolished.

Repeals, revocations and amendments consequential on the abolition of the Board

4. The enactments mentioned in the table in Part 1 of the Schedule are repealed or, as the case may be, amended, to the extent specified in the third column of that table.

5. The enactments mentioned in the table in Part 2 of the Schedule are revoked or, as the case may be, amended, to the extent specified in the third column of that table.

Repeal of reference to the Board in the Public Bodies Act 2011

6. In Schedule 1 to the Public Bodies Act 2011, omit "Disability Living Allowance Advisory Board".

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

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

Date

(**2**) Section 3 of the Disability Living Allowance and Disability Working Allowance Act 1991 (c.21) ("the 1991 Act") which established the Disability Living Allowance Advisory Board ("the Board") was repealed by section 3 of, and Schedule 1 to, the Social Security (Consequential Provisions) Act 1992 (c.6) as from 1st July 1992. On the same day section 175(1) of the Social Security Administration Act 1992 (c.5) ("the Administration Act") came into force. Section 175(1) of the Administration Act provided for the Board to "continue in being" by the same name. Hence, although the constituting provision for the Board was section 3(1) of the 1991 Act, the founding provision for the Board is now deemed to be section 175(1) of the Administration Act.