



# Welfare Reform Act 2007

## CHAPTER 5

### WELFARE REFORM ACT 2007

#### PART 1

##### EMPLOYMENT AND SUPPORT ALLOWANCE

###### *Entitlement*

- 1 Employment and support allowance
- 2 Amount of contributory allowance
- 3 Deductions from contributory allowance: supplementary
- 4 Amount of income-related allowance
- 5 Advance award of income-related allowance
- 6 Amount payable where claimant entitled to both forms of allowance
- 7 Exclusion of payments below prescribed minimum

###### *Assessments relating to entitlement*

- 8 Limited capability for work
- 9 Limited capability for work-related activity
- 10 Report

###### *Conditionality*

- 11 Work-focused health-related assessments
- 12 Work-focused interviews
- 13 Work-related activity
- 14 Action plans in connection with work-focused interviews
- 15 Directions about work-related activity
- 15A Persons dependent on drugs etc.
- 16 Contracting out

*Status: Point in time view as at 29/11/2011.*

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- 32 Housing benefit and council tax benefit for persons taking up employment
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49 Loss of benefit for commission of benefit offences

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54 Matters to which regard must be had in awarding budgeting loans

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Part 1 — CONTRIBUTORY ALLOWANCE

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*Conditions relating to national insurance*

- 1 (1) The first condition is that— (a) the claimant has...
- 2 (1) The second condition is that— (a) the claimant has...
- 3 (1) For the purposes of paragraphs 1 and 2—

*Condition relating to youth*

- 4 (1) The third condition is that —

*“Relevant benefit week”*

- 5 In this Part of this Schedule, “relevant benefit week” means...

Part 2 — INCOME-RELATED ALLOWANCE

- 6 (1) The conditions are that the claimant—

SCHEDULE 1A — Persons dependent on drugs etc.

- 1 Requirements imposed in relation to use of drugs
- 2 (1) Regulations may make provision for or in connection with...
- 3 (1) Regulations may make provision for or in connection with...
- 4 Paragraphs 1 to 3: supplementary
- 5 Voluntary and mandatory rehabilitation plans
- 6 (1) Regulations may make provision for or in connection with...
- 7 Sanctions
- 8 Information
- 9 Interpretation
- 10 Power to extend provisions to alcohol

SCHEDULE 2 — Employment and support allowance: supplementary provisions

*Limited capability for work*

- 1 Regulations may make provision— (a) for a person to be...

*Waiting days*

- 2 Except in prescribed circumstances, a person is not entitled to...

*Periods of less than a week*

- 3 Regulations may make provision in relation to—

*Linking periods*

- 4 (1) Regulations may provide for circumstances in which a period...

*Presence in Great Britain*

- 5 Regulations may make provision for the purposes of this Part...

*Contributory allowance: entitlement in case of absence from Great Britain*

- 6 Regulations may provide that in prescribed circumstances a claimant who...

*Contributory allowance: modification in relation to employment on ships etc.*

- 7 (1) Regulations may modify any provision of this Part, so...

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*Income-related allowance: entitlement in case of absence from Great Britain*

- 8 (1) Regulations may provide that in prescribed circumstances a claimant...

*Limited capability for work-related activity*

- 9 Regulations may make provision— (a) for a person to be...

*Effect of work*

- 10 Regulations may prescribe circumstances in which a person is to...

*Treatment of allowance as “benefit”*

- 11 Regulations may provide for— (a) an employment and support allowance,...

*Attribution of reductions in cases where allowance taken to consist of two elements*

- 12 Where an employment and support allowance is taken by virtue...

*Treatment of information supplied as information relating to social security*

- 13 Information supplied in pursuance of regulations under any of sections...

*Advance claims*

- 14 This Part shall have effect with prescribed modifications in relation...

*Members of the forces*

- 15 (1) Regulations may modify— (a) any provision of this Part,...

SCHEDULE 3 — Consequential amendments relating to Part 1

*Social Work (Scotland) Act 1968 (c. 49)*

- 1 In section 78(2A) of the Social Work (Scotland) Act 1968...

*Education (Scotland) Act 1980 (c. 41)*

- 2 In section 53(3) of the Education (Scotland) Act 1980 (pupils...

*Transport Act 1982 (c. 49)*

- 3 In section 70 of the Transport Act 1982 (payments in...

*Legal Aid (Scotland) Act 1986 (c. 47)*

- 4 (1) The Legal Aid (Scotland) Act 1986 is amended as...

*Income and Corporation Taxes Act 1988 (c. 1)*

- 5 (1) Section 347B of the Income and Corporation Taxes Act...

*Children Act 1989 (c. 41)*

- 6 (1) The Children Act 1989 is amended as follows.

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*Child Support Act 1991 (c. 48)*

7 (1) The Child Support Act 1991 is amended as follows....

*Criminal Justice Act 1991 (c. 53)*

8 In section 24 of the Criminal Justice Act 1991 (recovery...

*Social Security Contributions and Benefits Act 1992 (c. 4)*

9 (1) The Contributions and Benefits Act is amended as follows....

*Social Security Administration Act 1992 (c. 5)*

10 (1) The Administration Act is amended as follows.

*Local Government Finance Act 1992 (c. 14)*

11 (1) The Local Government Finance Act 1992 is amended as...

*Jobseekers Act 1995 (c. 18)*

12 (1) The Jobseekers Act 1995 is amended as follows.

*Pensions Act 1995 (c. 26)*

13 In Schedule 4 to the Pensions Act 1995 (equalisation of...

*Children (Scotland) Act 1995 (c. 36)*

14 In section 22 of the Children (Scotland) Act 1995 (promotion...

*Employment Tribunals Act 1996 (c. 17)*

15 (1) The Employment Tribunals Act 1996 is amended as follows....

*Education Act 1996 (c. 56)*

16 (1) The Education Act 1996 is amended as follows.

*Social Security Act 1998 (c. 14)*

17 (1) The Social Security Act 1998 is amended as follows....

*Welfare Reform and Pensions Act 1999 (c. 30)*

18 In section 72 of the Welfare Reform and Pensions Act...

*Immigration and Asylum Act 1999 (c. 33)*

19 In section 115 of the Immigration and Asylum Act 1999...

*Child Support, Pensions and Social Security Act 2000 (c. 19)*

20 (1) The Child Support, Pensions and Social Security Act 2000...

*Local Government Act 2000 (c. 22)*

21 In section 94 of the Local Government Act 2000 (disclosure...

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*Adults with Incapacity (Scotland) Act 2000 (asp 4)*

- 22 (1) The Adults with Incapacity (Scotland) Act 2000 is amended...

*Social Security Fraud Act 2001 (c. 11)*

- 23 (1) The Social Security Fraud Act 2001 is amended as...

*Income Tax (Earnings and Pensions) Act 2003 (c. 1)*

- 24 (1) The Income Tax (Earnings and Pensions) Act 2003 is...

SCHEDULE 4 — Transition relating to Part 1

*General power to provide for transition relating to Part 1*

- 1 (1) Regulations may make such provision as the Secretary of...

*Pre-commencement claims*

- 2 Regulations may— (a) make provision for a claim for incapacity...

*Post-commencement claims*

- 3 Regulations may— (a) make provision excluding the making of a...

*Award of employment and support allowance for pre-commencement period*

- 4 Regulations may— (a) make provision for an employment and support...

*Matching of awards of employment and support allowance*

- 5 (1) For the purposes of this paragraph, an award of...  
6 (1) For the purposes of this paragraph an award of...

*Treatment of existing awards*

- 7 (1) Regulations may— (a) make provision for converting existing awards...

*Transitional allowances*

- 8 (1) Regulations may— (a) make provision for a person's continuing...  
9 (1) Regulations may prescribe circumstances in which a person who...

*Post-commencement up-rating of incapacity benefit and severe disablement allowance*

- 10 Regulations may provide for section 150 of the Administration Act...

*Interpretation*

- 11 In this Schedule— “appointed day” means the day appointed for...

SCHEDULE 5 — Minor and consequential amendments relating to Part 2

*Social Security Contributions and Benefits Act 1992 (c. 4)*

- 1 (1) The Contributions and Benefits Act is amended as follows....

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*Social Security Administration Act 1992 (c. 5)*

- 2 The Administration Act is amended as follows.  
 3 In section 134 (arrangements for housing benefit)—  
 4 In section 139 (arrangements for council tax benefit)—  
 5 In section 139E (information about attainment of standards), in  
 subsection...  
 6 (1) Section 139F (enforcement notices) is amended as follows.  
 7 (1) Section 139G (enforcement determinations) is amended as follows.  
 8 (1) In section 140A(2)(c) (subsidies to certain authorities), for “or...  
 9 In section 140B(5A) (calculation of amount of subsidy), for “section...  
 10 In section 191 (interpretation), in the definition of “prescribe” at...

*Local Government etc. (Scotland) Act 1994 (c. 39)*

- 11 In Schedule 13 to the Local Government etc. (Scotland) Act...

*Housing Act 1996 (c. 52)*

- 12 In section 122(5) of the Housing Act 1996 for “regulations...”

*Child Support, Pensions and Social Security Act 2000 (c. 19)*

- 13 In Schedule 7 to the Child Support, Pensions and Social...

*Civil Partnership Act 2004 (c. 33)*

- 14 In Schedule 24 to the Civil Partnership Act 2004 (amendments...)

SCHEDULE 6 — Schedule to be inserted in the Pneumoconiosis etc. (Workers' Compensation) Act 1979

SCHEDULE 7 — Minor and consequential amendments relating to Part 4

*Vaccine Damage Payments Act 1979 (c. 17)*

- 1 (1) The Vaccine Damage Payments Act 1979 is amended as...

*Social Security Contributions and Benefits Act 1992 (c. 4)*

- 2 (1) The Contributions and Benefits Act is amended as follows....

*Social Security Administration Act 1992 (c. 5)*

- 3 (1) The Administration Act is amended as follows.

*Social Security Act 1998 (c. 14)*

- 4 In section 38(7) of the Social Security Act 1998 (principles...)

SCHEDULE 8 — Repeals



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