

Status: Point in time view as at 01/04/2013. This version of this schedule contains provisions that are not valid for this point in time.

Changes to legislation: Welfare Reform Act 2012, SCHEDULE 3 is up to date with all changes known to be in force on or before 24 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 3

Section 33

ABOLITION OF BENEFITS: CONSEQUENTIAL AMENDMENTS

PROSPECTIVE

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

- 1 The Social Security Contributions and Benefits Act 1992 is amended as follows.
- 2 In section 22 (earnings factors), in subsections (2)(a) and (5), for “a contributory” there is substituted “an”.
- 3 In section 150 (interpretation of Part 10), in subsection (2), in the definition of “qualifying employment and support allowance”, for “a contributory allowance” there is substituted “an employment and support allowance”.

Social Security Administration Act 1992 (c. 5)

- 4 The Social Security Administration Act 1992 is amended as follows.

Commencement Information

I1 Sch. 3 para. 4 in force at 1.4.2013 for specified purposes by [S.I. 2013/358, art. 8\(b\)](#)

- 5 In section 7 (relationship between benefits), in subsection (3), for “subsections (1) and (2)” there is substituted “subsection (1)”.

Commencement Information

I2 Sch. 3 para. 5 in force at 1.4.2013 for specified purposes by [S.I. 2013/358, art. 8\(b\)](#)

PROSPECTIVE

- 6 In section 73 (overlapping benefits), in subsections (1) and (4)(c), for “a contributory” there is substituted “an”.

PROSPECTIVE

- 7 In section 159B (effect of alterations affecting state pension credit), for “a contributory”, wherever occurring, there is substituted “an”.

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PROSPECTIVE

- 8 In section 159D (as inserted by Schedule 2 to this Act) (effect of alterations affecting universal credit), for “a contributory“, wherever occurring, there is substituted “ an ”.

PROSPECTIVE

Immigration and Asylum Act 1999 (c. 33)

- 9 In the Immigration and Asylum Act 1999, in section 115 (exclusion from benefits of persons subject to immigration control)—
- (a) in subsection (1), after paragraph (ha) there is inserted “or”;
 - (b) in subsection (2)(b) for “(a) to (j)“ substitute “ (a) to (i) ”.

PROSPECTIVE

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

- 10 The Child Support, Pensions and Social Security Act 2000 is amended as follows.
- 11 (1) Section 69 (discretionary financial assistance with housing) is amended as follows.
- (2) In subsection (1)—
 - (a) for “relevant authorities” there is substituted “ local authorities ”;
 - (b) in paragraph (a), the words from “housing benefit” to “both,” are repealed.
 - (3) In subsection (2)—
 - (a) in paragraph (b), for “relevant authority“ there is substituted “ local authority ”;
 - (b) in paragraph (e), for “relevant authorities” there is substituted “ local authorities ”;
 - (c) in paragraphs (f), (g) and (h), for “relevant authority” there is substituted “ local authority ”.
 - (4) In subsection (5), for “relevant authorities“ there is substituted “ local authorities ”.
 - (5) In subsection (7), for the definition of “relevant authority” there is substituted—

““local authority” has the meaning given by section 191 of the Social Security Administration Act 1992.”
- 12 (1) Section 70 (grants towards cost of discretionary housing payments) is amended as follows.
- (2) In subsection (1), after “payments” there is inserted “ (“grants”) ”.
 - (3) For subsection (2) there is substituted—

“(2) The amount of a grant under this section shall be determined in accordance with an order made by the Secretary of State with the consent of the Treasury.”

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- (4) In subsection (8)—
- (a) for the definition of “relevant authority“ there is substituted—
““local authority” has the same meaning as in section 69;”;
 - (b) the definition of “subsidy” is repealed.
- 13 After section 70 there is inserted—
- “70A Payment of grant**
- (1) A grant under section 70 shall be made by the Secretary of State in such instalments, at such times, in such manner and subject to such conditions as to claims, records, certificates, audit or otherwise as may be provided by order of the Secretary of State with the consent of the Treasury.
 - (2) The order may provide that if a local authority has not complied with the conditions specified in it within such period as may be specified in it, the Secretary of State may estimate the amount of grant under section 70 payable to the authority and employ for that purpose such criteria as he considers relevant.
 - (3) Where a grant under section 70 has been paid to a local authority and it appears to the Secretary of State that—
 - (a) the grant has been overpaid, or
 - (b) there has been a breach of any condition specified in an order under this section,he may recover from the authority the whole or such part of the payment as he may determine.
 - (4) Without prejudice to the other methods of recovery, a sum recoverable under this section may be recovered by withholding or reducing subsidy.
 - (5) An order under this section may be made before, during or after the end of the period to which it relates.
 - (6) In this section “local authority“ has the same meaning as in section 69.
 - (7) Section 70(5) to (7) applies to orders under this section.”

PROSPECTIVE

Capital Allowances Act 2001 (c. 2)

- 14 [^{F1}In Schedule A1 to the Capital Allowances Act 2001 (first-year tax credits), in paragraph 17(1)(b) after “sick pay,” there is inserted “ or ”.]

Textual Amendments

- F1** Sch. 3 para. 14 repealed (with effect in relation to expenditure incurred on or after 1.4.2020 for corporation tax purposes or 6.4.2020 for income tax purposes) by [Finance Act 2019 \(c. 1\), s. 33\(2\)\(c\)\(viii\)\(5\)](#)

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Social Security Fraud Act 2001 (c. 11)

15 The Social Security Fraud Act 2001 is amended as follows.

Commencement Information

I3 Sch. 3 para. 15 in force at 1.4.2013 for specified purposes by [S.I. 2013/358](#), **art. 8(b)**

16 In section 6B (loss of benefit for conviction etc), in subsection (5), for “to (10)” there is substituted “and (8)”.

Commencement Information

I4 Sch. 3 para. 16 in force at 1.4.2013 for specified purposes by [S.I. 2013/358](#), **art. 8(b)**

17 In section 7 (loss of benefit for repeated conviction etc), in subsection (2), for “to (5)” there is substituted “and (4A)”.

Commencement Information

I5 Sch. 3 para. 17 in force at 1.4.2013 for specified purposes by [S.I. 2013/358](#), **art. 8(b)**

18 In section 11 (regulations), in subsection (3)(c), for the words from “section” to the end there is substituted “section 6B(5A) or (8), 7(2A) or (4A) or 9(2A) or (4A)”.

Commencement Information

I6 Sch. 3 para. 18 in force at 1.4.2013 for specified purposes by [S.I. 2013/358](#), **art. 8(b)**

PROSPECTIVE

Commissioners for Revenue and Customs Act 2005 (c. 11)

19 The Commissioners for Revenue and Customs Act 2005 is amended as follows.

20 In section 5 (initial functions), in subsection (1), after paragraph (a) there is inserted “and”.

21 In section 44 (payment into Consolidated Fund), in subsection (3), after paragraph (b) there is inserted “and”.

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Welfare Reform Act 2007 (c. 5)

22 The Welfare Reform Act 2007 is amended as follows.

23 In section 1 (employment and support allowance), in subsection (3)(d), at the end there is inserted “and”.

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- 24 In section 2 (amount of contributory allowance), in subsection (1), for “In the case of a contributory allowance, the amount payable“ there is substituted “ The amount payable by way of an employment and support allowance ”.
- 25 (1) Section 27 (financial provisions) is amended as follows.
- (2) In subsection (1), for the words from “so much of” to the end there is substituted “ any sums payable by way of employment and support allowance ”.
- (3) In subsection (3), for “contributory” there is substituted “ employment and support ”.
- 26 In each of the following provisions, for “a contributory allowance” there is substituted “ an employment and support allowance ”
- (a) section 1A(1), (3), (4), (5) and (6) (as inserted by section 51 of this Act);
 - (b) section 1B(1) (as inserted by section 52 of this Act);
 - (c) section 3(2)(d);
 - (d) section 18(4);
 - (e) section 20(2), (3)(a), (b) and (c), (4), (5)(a), (b) and (c), (6), (7)(a), (b) and (c);
 - (f) in Schedule 1, paragraphs 1(5)(d) and 3(2)(a);
 - (g) in Schedule 2, paragraphs 6 and 7(2)(d).

PROSPECTIVE

Corporation Tax Act 2009 (c. 4)

- 27 The Corporation Tax Act 2009 is amended as follows.
- 28 In section 1059 (relief relating to SME R&D: total amount of company's PAYE and NICs liabilities), in subsection (5) after “sick pay” there is inserted “ or ”.
- 29 In section 1108 (relief relating to vaccine research etc: total amount of company's PAYE and NICs liabilities), in subsection (5) after “sick pay” there is inserted “ or ”.

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