



Social Security Administration Act 1992

1992 CHAPTER 5

PART I

CLAIMS FOR AND PAYMENTS AND GENERAL ADMINISTRATION OF BENEFIT

[^{F1}Work-focused interviews [^{F1}and work-related activity]]

[^{F1}2AA Full entitlement to certain benefits conditional on work-focused interview for partner

- (1) Regulations may make provision for or in connection with imposing, at a time when—
- (a) a person (“the claimant”) who—
 - [^{F2}(i) has not attained pensionable age (but see subsection (1A)), and
 - (ii) has a partner who has also not attained pensionable age,]
- is entitled to a benefit to which this section applies at a higher rate referable to his partner, and
- (b) prescribed circumstances exist,
- a requirement for the partner to take part in [^{F3}one or more work-focused interviews] as a condition of the benefit continuing to be payable to the claimant at that rate.

[For the purposes of subsection (1) a man born before [^{F5}6 December 1953] is treated [^{F4}(1A) as attaining pensionable age when a woman born on the same day as the man would attain pensionable age.]

- (2) The benefits to which this section applies are—
- (a) income support;
 - (b) an income-based jobseeker's allowance other than a joint-claim jobseeker's allowance;
 - (c) incapacity benefit;
 - (d) severe disablement allowance; and
 - [^{F6}(e) carer's allowance][^{F7}; and
 - (f) an employment and support allowance.]

Changes to legislation: Social Security Administration Act 1992, Section 2AA is up to date with all changes known to be in force on or before 22 September 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) View outstanding changes

- (3) For the purposes of this section a benefit is payable to a person at a higher rate referable to his partner if the amount that is payable in his case—
- (a) is more than it would be if the person concerned was not a member of a couple; or
 - (b) includes an increase of benefit for his partner as an adult dependant of his.
- (4) Regulations under this section may, in particular, make provision—
- (a) for securing, where the partner of the claimant would otherwise be required to take part in work-focused interviews relating to two or more benefits—
 - (i) that the partner is required instead to take part in only one such interview; and
 - (ii) that the interview is capable of counting for the purposes of all those benefits;
 - (b) in a case where the claimant has more than one partner, for determining which of those partners is required to take part in the work-focused interview or requiring each of them to take part in such an interview;
 - (c) for determining the persons by whom work-focused interviews are to be conducted;
 - (d) conferring power on such persons or the designated authority to determine when and where work-focused interviews are to take place (including power in prescribed circumstances to determine that they are to take place in the homes of those being interviewed);
 - (e) prescribing the circumstances in which partners attending work-focused interviews are to be regarded as having or not having taken part in them;
 - (f) for securing that if—
 - (i) a partner who has been notified of a requirement to take part in a work-focused interview fails to take part in it, and
 - (ii) it is not shown (by him or by the claimant), within the prescribed period, that he had good cause for that failure,
 the amount payable to the claimant in respect of the benefit in relation to which the requirement applied is to be reduced by the specified amount until the specified time;
 - (g) prescribing—
 - (i) matters which are or are not to be taken into account in determining whether a partner does or does not have good cause for any failure to comply with the regulations; or
 - (ii) circumstances in which a partner is or is not to be regarded as having or not having good cause for any such failure.
- (5) Regulations under this section may, in relation to a reduction under subsection (4)(f), provide—
- (a) for the amount of the reduction to be calculated in the first instance by reference to such amount as may be prescribed;
 - (b) for the amount as so calculated to be restricted, in prescribed circumstances, to the prescribed extent;
 - (c) where the claimant is entitled to two or more benefits in relation to each of which a requirement to take part in a work-focused interview applied, for determining the extent to, and the order in, which those benefits are to be reduced in order to give effect to the reduction required in his case.

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(6) Regulations under this section may provide that any requirement to take part in a work-focused interview that would otherwise apply to a partner by virtue of the regulations—

- (a) is, in any prescribed circumstances, either not to apply or not to apply until the specified time;
- (b) is not to apply if the designated authority determines that such an interview would not be of assistance to him or appropriate in the circumstances;
- (c) is not to apply until such time as the designated authority determines (if that authority determines that such an interview would not be of assistance to him or appropriate in the circumstances until that time);

and the regulations may make provision for treating a partner to whom any such requirement does not apply, or does not apply until a particular time, as having complied with that requirement to such extent and for such purposes as are specified.

[Information supplied in pursuance of regulations under this section shall be taken for ^{F8}(6A) all purposes to be information relating to social security.]

(7) In this section—

[^{F9}“couple” has the meaning given by section 137(1) of the Contributions and Benefits Act;]

“designated authority” means such of the following as may be specified, namely—

- (a) the Secretary of State,
- (b) a person providing services to the Secretary of State,
- (c) a local authority, and
- (ca) [^{F10}subject to subsection (8), a county council in England,]
- (d) [^{F11}subject to subsection (8),] a person providing services to, or authorised to exercise any function of, [^{F12}any authority mentioned in paragraph (c) or (ca)];

“partner” means a person who is a member of the same couple as the claimant;

“specified” means prescribed by or determined in accordance with regulations; and

“work-focused interview” has the same meaning as in section 2A above.

[A county council in England or a person providing services to, or authorised to ^{F13}(8) exercise any function of, such a council may be specified as the designated authority only in relation to interviews with persons to whom the council is required to make support services available under section 68(1) of the Education and Skills Act 2008 (support services: provision by local authorities).]

Textual Amendments

- F1** S. 2AA inserted (5.7.2003) by [Employment Act 2002 \(c. 22\)](#), **ss. 49**, 55(2); S.I. 2003/1666, art. 2(a)
- F2** S. 2AA(1)(a)(i)(ii) substituted (10.2.2010) by [Welfare Reform Act 2009 \(c. 24\)](#), **ss. 35(3)(a)**, 61(3); S.I. 2010/293, art. 2(1)(b)
- F3** Words in s. 2AA(1) substituted (10.2.2010) by [Welfare Reform Act 2009 \(c. 24\)](#), **ss. 35(4)**, 61(3); S.I. 2010/293, art. 2(1)(b)
- F4** S. 2AA(1A) inserted (10.2.2010) by [Welfare Reform Act 2009 \(c. 24\)](#), **ss. 35(3)(b)**, 61(3); S.I. 2010/293, art. 2(1)(b)

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- F5** Words in s. 2AA(1A) substituted (3.1.2012) by Pensions Act 2011 (c. 19), s. 38(3)(a), **Sch. 1 para. 4**
- F6** S. 2AA(2)(e) substituted (3.7.2007) by Welfare Reform Act 2007 (c. 5), s. 70(1), **Sch. 7 para. 3(2)**
- F7** S. 2AA(2)(f) and preceding word inserted (18.3.2008 for specified purposes, 27.10.2008 in so far as not already in force) by Welfare Reform Act 2007 (c. 5), s. 70(2), **Sch. 3 para. 10(3)**; S.I. 2008/787, art. 2(1)(4)(f), Sch.
- F8** S. 2AA(6A) inserted (12.1.2010) by Welfare Reform Act 2009 (c. 24), **ss. 34(2)**, 61(2)
- F9** Words in s. 2AA(7) substituted (5.12.2005) by Civil Partnership Act 2004 (c. 33), s. 263(8)(d), **Sch. 24 para. 55**; S.I. 2005/3175, art. 2(1), Sch. 1
- F10** Words in s. 2AA(7) inserted (26.1.2009) by Education and Skills Act 2008 (c. 25), s. 173(4), **Sch. 1 para. 46(2)(a)**; S.I. 2008/3077, art. 4(g)
- F11** Words in s. 2AA(7) inserted (26.1.2009) by Education and Skills Act 2008 (c. 25), s. 173(4), **Sch. 1 para. 46(2)(b)**; S.I. 2008/3077, art. 4(g)
- F12** Words in s. 2AA(7) substituted (26.1.2009) by Education and Skills Act 2008 (c. 25), s. 173(4), **Sch. 1 para. 46(2)(c)**; S.I. 2008/3077, art. 4(g)
- F13** S. 2AA(8) inserted (26.1.2009) by Education and Skills Act 2008 (c. 25), s. 173(4), **Sch. 1 para. 46(3)**; S.I. 2008/3077, art. 4(g)

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Changes and effects yet to be applied to :

- s. 2A-2H repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 2AA(2)(a) repealed by [2009 c. 24 Sch. 7 Pt. 1](#)
- s. 2AA(2)(c) repealed by [2007 c. 5 Sch. 8](#)
- s. 2AA(2)(d) word repealed by [2007 c. 5 Sch. 8](#)
- s. 2AA(7) words repealed by [2009 c. 24 Sch. 7 Pt. 3](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied (with modifications) by [S.I. 2018/1125 reg. 8](#) (This amendment not applied to [legislation.gov.uk](#). [S.I. 2018/1125](#), reg. 8 omitted (31.12.2020) by virtue of Private International Law (Implementation of Agreements) Act 2020 (c. 24), s. 4(3), Sch. 5 para. 4(4))
- Act modified by [S.I. 2019/1302 art. 2](#) (This amendment not applied to [legislation.gov.uk](#) [S.I. 2019/1302](#) revoked (17.12.2020) by The Social Security (Iceland, Liechtenstein and Norway) (Citizens' Rights Agreement) (Revocation) Order 2020 (S.I. 2020/1569), arts. 1(2), 2)
- Act modified by [S.I. 2019/1303 art. 2](#) (This amendment not applied to [legislation.gov.uk](#). [S.I. 2019/1303](#) revoked (17.12.2020) by The Social Security (Switzerland) (Citizens' Rights Agreement) (Revocation) Order 2020 (S.I. 2020/1570), arts. 1(2), 2)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 2G(1)(d) inserted by [2012 c. 5 s. 59\(5\)](#)
- s. 5(1A)-(1C) inserted by [2009 c. 24 s. 22\(2\)\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). [S. 22](#) repealed (1.4.2013) by [2012 c. 5](#), s. 101(2); [S.I. 2013/358](#), art. 4(2))
- s. 78A inserted by [2009 c. 24 s. 16\(2\)](#) (This amendment not applied to [legislation.gov.uk](#). [Ss. 16-21](#) repealed (1.4.2013) by [2012 c. 5](#), s. 73; [S.I. 2012/3090](#), art. 2(1)(b))
- s. 121B(1)(aa) inserted by [2007 asp 3 Sch. 5 para. 19\(a\)](#) ([S. 121B](#) repealed by Finance Act 2008 (c. 9), Sch. 43 para. 14)
- s. 121B(4) words inserted by [2007 asp 3 Sch. 5 para. 19\(b\)](#) ([S. 121B](#) repealed by Finance Act 2008 (c. 9), Sch. 43 para. 14)
- s. 122F(5) inserted by [2012 c. 5 Sch. 4 para. 12\(4\)](#)
- s. 122G inserted by [2009 c. 24 s. 18](#) (This amendment not applied to [legislation.gov.uk](#). [Ss. 16-21](#) repealed (1.4.2013) by [2012 c. 5](#), s. 73; [S.I. 2012/3090](#), art. 2(1)(b))
- s. 122H inserted by [2009 c. 24 s. 20\(3\)](#) (This amendment not applied to [legislation.gov.uk](#). [Ss. 16-21](#) repealed (1.4.2013) by [2012 c. 5](#), s. 73; [S.I. 2012/3090](#), art. 2(1)(b))
- s. 134(2)-(2B) substituted for s. 134(2) by [2007 c. 5 s. 37](#)
- s. 148AB inserted by [2008 c. 30 Sch. 4 para. 14](#) (This amendment not applied to [legislation.gov.uk](#). [Sch. 4 paras. 13-22](#) repealed (1.10.2014) without ever being in force by [2014 c. 19](#), Sch. 12 para. 96(c); [S.I. 2014/2377](#), art. 2(1)(a)(ii)(3)(c))
- s. 148AB(1)(2) words substituted by [2011 c. 19 Sch. 3 para. 8\(2\)](#)
- s. 148AB(9) inserted by [2011 c. 19 Sch. 3 para. 8\(3\)](#)
- s. 151(10)(b)(i)(ii) repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 160C inserted by [2012 c. 5 Sch. 2 para. 24](#)

- s. 165(1)(b)(viii) and word inserted by [2023 c. 20 Sch. para. 19\(2\)\(b\)](#)
- s. 190(1)(ac) inserted by [2009 c. 24 s. 21](#) (This amendment not applied to [legislation.gov.uk](#). Ss. 16-21 repealed (1.4.2013) by 2012 c. 5, s. 73; S.I. 2012/3090, art. 2(1)(b))
- Sch. 4 Pt. 3 para. 5 word substituted by [S.I. 2010/978 art. 2](#)