



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
- 16 Contracting out

Status: Point in time view as at 10/08/2007.

Changes to legislation: Welfare Reform Act 2007 is up to date with all changes known to be in force on or before 10 June 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)

Miscellaneous

- 17 Income and capital: general
- 18 Disqualification
- 19 Pilot schemes
- 20 Relationship with statutory payments
- 21 Deemed entitlement for other purposes
- 22 Supplementary provisions
- 23 Recovery of sums in respect of maintenance

General

- 24 Interpretation of Part 1
- 25 Regulations
- 26 Parliamentary control
- 27 Financial provisions relating to Part 1
- 28 Consequential amendments relating to Part 1
- 29 Transition relating to Part 1

PART 2

HOUSING BENEFIT AND COUNCIL TAX BENEFIT

- 30 Local housing allowance
- 31 Loss of housing benefit following eviction for anti-social behaviour, etc.
- 32 Housing benefit and council tax benefit for persons taking up employment
- 33 Section 32: supplemental
- 34 Sections 32 and 33: interpretation
- 35 Information relating to housing benefit
- 36 Supply of information by rent officers
- 37 Payment of housing benefit
- 38 Duty to send inspection reports to the Secretary of State
- 39 Directions by Secretary of State
- 40 Minor and consequential amendments relating to Part 2

PART 3

SOCIAL SECURITY ADMINISTRATION: GENERAL

Sharing of social security information

- 41 Social security information
- 42 Information relating to certain benefits
- 43 Unlawful disclosure of certain information

Overpayment recovery

- 44 Recovery of overpaid benefit: Great Britain
- 45 Recovery of overpaid child benefit and guardian's allowance: Northern Ireland

Benefit fraud

- 46 Local authority powers to investigate benefit fraud
- 47 Local authority powers to prosecute benefit fraud
- 48 Local authority functions relating to benefit: information

Status: Point in time view as at 10/08/2007.

Changes to legislation: Welfare Reform Act 2007 is up to date with all changes known to be in force on or before 10 June 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)

49 Loss of benefit for commission of benefit offences

PART 4

MISCELLANEOUS

Benefits for bereaved persons

50 Widowed mother's allowance

51 Widowed parent's allowance

Disability living allowance: age conditions

52 Care component of disability living allowance: persons under the age of 16

53 Mobility component of disability living allowance: persons under the age of 16

Social fund

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

55 Allocations from Social Fund

Vaccine Damage Payments Act 1979

56 Overseas vaccinations

57 Appeals to appeal tribunal in Northern Ireland

Compensation for pneumoconiosis etc.

58 "Relevant employer"

59 "Dependant"

Other

60 Power to stop payment of allowances to care home residents

61 Independent Living Funds

62 Medical examinations

63 Minor and consequential amendments relating to Part 4

PART 5

GENERAL

64 Northern Ireland

65 General interpretation

66 Financial provisions: general

67 Repeals

68 Transition

69 Extent

70 Commencement

71 Short title

SCHEDULES

SCHEDULE 1 — Employment and support allowance: additional conditions

Part 1 — CONTRIBUTORY ALLOWANCE

Status: Point in time view as at 10/08/2007.

Changes to legislation: Welfare Reform Act 2007 is up to date with all changes known to be in force on or before 10 June 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)

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 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...

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...

Status: Point in time view as at 10/08/2007.

Changes to legislation: Welfare Reform Act 2007 is up to date with all changes known to be in force on or before 10 June 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)

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.

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....

Status: Point in time view as at 10/08/2007.

Changes to legislation: Welfare Reform Act 2007 is up to date with all changes known to be in force on or before 10 June 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)

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...

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...

Status: Point in time view as at 10/08/2007.

Changes to legislation: Welfare Reform Act 2007 is up to date with all changes known to be in force on or before 10 June 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)

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....

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...”

Status: Point in time view as at 10/08/2007.

Changes to legislation: Welfare Reform Act 2007 is up to date with all changes known to be in force on or before 10 June 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)

- 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

Status:

Point in time view as at 10/08/2007.

Changes to legislation:

Welfare Reform Act 2007 is up to date with all changes known to be in force on or before 10 June 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.