



Welfare Reform Act 2012

CHAPTER 5

WELFARE REFORM ACT 2012

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Status: Point in time view as at 22/10/2012.

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Entitlement of joint claimants

- 1 Regulations may provide for circumstances in which joint claimants may...

Linking periods

- 2 Regulations may provide for periods of entitlement to universal credit...

Couples

- 3 (1) Regulations may provide— (a) for a claim made by...

Calculation of capital and income

- 4 (1) Regulations may for any purpose of this Part provide...

Responsibility for children etc

- 5 (1) Regulations may for any purpose of this Part specify...

Vouchers

- 6 (1) This paragraph applies in relation to an award of...

Work-related requirements

- 7 Regulations may provide that a claimant who—

Good reason

- 8 Regulations may for any purpose of this Part provide for—...

SCHEDULE 2 — Universal credit: amendments

Children Act 1989 (c. 41)

- 1 In the Children Act 1989, in the following provisions, after...

Child Support Act 1991 (c. 48)

- 2 In the Child Support Act 1991, in paragraph 5 of...

Social Security Administration Act 1992 (c. 5)

- 3 The Social Security Administration Act 1992 is amended as follows....
 4 In section 1 (entitlement to benefit dependent on claim), in...
 5 In section 5 (regulations about claims and payments)—
 6 (1) Section 15A (payment out of benefit of sums in...
 7 In section 74 (income support and other payments), in subsection...
 8 In section 74A (payments of benefit where maintenance payments collected...
 9 In section 78 (recovery of social fund awards), in subsection...
 10 In section 105 (failure to maintain - general), in subsection...
 11 In section 106 (recovery of expenditure on benefit from person...
 12 In section 108 (reduction of expenditure on income support etc),...
 13 In section 109 (diversion of arrested earnings - Scotland), in...
 14 In section 121DA (interpretation of Part 6), in subsection (1),...

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- 15 In section 122B (supply of other government information for fraud...
- 16 (1) Section 122F (supply by rent officers of information relating...
- 17 In section 124 (age, death and marriage), in subsection (1)—...
- 18 In section 125 (regulations as to notification of death), in...
- 19 In section 126 (information from personal representatives), in
subsection (1),...
- 20 In section 130 (duties of employers), in subsection (1), before...
- 21 In section 132 (duties of employers - statutory maternity pay...
- 22 In section 150 (uprating)— (a) in subsection (1) at the...
- 23 After section 159C there is inserted— Effect of alterations affecting...
- 24 After section 160B there is inserted— Implementation of increases in...
- 25 (1) Section 165 (adjustments between National Insurance Fund and
Consolidated...
- 26 (1) In section 170 (Social Security Advisory Committee),
subsection (5)...
- 27 (1) Section 179 (reciprocal agreements) is amended as follows.
- 28 In section 180 (payment of travelling expenses), in paragraphs (a)...
- 29 In section 182B (information about postal redirection), in subsection (5)
(b),...
- 30 In section 187 (inalienability), in subsection (1), before paragraph (a)...
- 31 In section 191 (interpretation), in the definition of “benefit”, after...

Local Government Finance Act 1992 (c. 14)

- 32 The Local Government Finance Act 1992 is amended as follows...
- 33 (1) Schedule 4 is amended as follows.
- 34 In Schedule 8, in paragraph 6— (a) in sub-paragraph (1),...

Jobseekers Act 1995 (c. 18)

- 35 In section 2 of the Jobseekers Act 1995, in subsection...

Housing Act 1996 (c. 52)

- 36 In section 122 of the Housing Act 1996 (rent officers),...

Education Act 1996 (c. 56)

- 37 The Education Act 1996 is amended as follows.
- 38 In section 457 (charges and remissions policies) in subsection (4)(b),...
- 39 In section 512ZB (provision of free school lunches and milk:...

Social Security (Recovery of Benefits) Act 1997 (c. 27)

- 40 The Social Security (Recovery of Benefits) Act 1997 is amended...
- 41 In section 29 (general interpretation), in the definition of “benefit”,...
- 42 In the table in Schedule 2 (calculation of compensation payment),...

Social Security Act 1998 (c. 14)

- 43 The Social Security Act 1998 (decisions and appeals) is amended...
- 44 In section 2 (use of computers), in subsection (2)—
- 45 In section 8 (decisions by Secretary of State)—
- 46 In section 11 (regulations with respect to decisions), in subsection...
- 47 In section 27 (restriction on entitlement in cases of error),...
- 48 In section 28(3) (correction of errors in decisions etc)—

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- 49 In section 39 (interpretation), in subsection (1), before the definition...
- 50 (1) Schedule 2 (decisions against which no appeal lies) is...
- 51 In Schedule 3 (decisions against which an appeal lies), after...

Immigration and Asylum Act 1999 (c. 33)

- 52 The Immigration and Asylum Act 1999 is amended as follows....
- 53 In section 97 (provision of support: supplemental), in subsection (5)—...
- 54 In section 115(1) (exclusion from benefits of persons subject to...

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

- 55 In section 69 of the Child Support, Pensions and Social...

Social Security Fraud Act 2001 (c. 11)

- 56 The Social Security Fraud Act 2001 is amended as follows....
- 57 In section 6A (definitions), in subsection (1), in the definition...
- 58 (1) Section 6B (loss of benefit in case of conviction,...
- 59 (1) Section 7 (loss of benefit for second or subsequent...
- 60 (1) Section 8 (effect of offence on joint-claim jobseeker's allowance)...
- 61 (1) Section 9 (effect of offence on benefits for members...
- 62 In section 10(3) (power to supplement and mitigate loss of...
- 63 (1) In section 11 (loss of benefit regulations), subsection (3)...

State Pension Credit Act 2002 (c. 16)

- 64 In section 4 of the State Pension Credit Act 2002...

Welfare Reform Act 2007 (c. 5)

- 65 In Schedule 1 to the Welfare Reform Act 2007 (employment...

SCHEDULE 3 — Abolition of benefits: consequential amendments

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

- 1 The Social Security Contributions and Benefits Act 1992 is amended...
- 2 In section 22 (earnings factors), in subsections (2)(a) and (5),...
- 3 In section 150 (interpretation of Part 10), in subsection (2),...

Social Security Administration Act 1992 (c. 5)

- 4 The Social Security Administration Act 1992 is amended as follows....
- 5 In section 7 (relationship between benefits), in subsection (3), for...
- 6 In section 73 (overlapping benefits), in subsections (1) and (4)(c),...
- 7 In section 159B (effect of alterations affecting state pension credit),...
- 8 In section 159D (as inserted by Schedule 2 to this...

Immigration and Asylum Act 1999 (c. 33)

- 9 In the Immigration and Asylum Act 1999, in section 115...

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

- 10 The Child Support, Pensions and Social Security Act 2000 is...

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- 11 (1) Section 69 (discretionary financial assistance with housing) is amended...
- 12 (1) Section 70 (grants towards cost of discretionary housing payments)...
- 13 After section 70 there is inserted— Payment of grant (1) A grant under section 70 shall be made by...

Capital Allowances Act 2001 (c. 2)

- 14 In Schedule A1 to the Capital Allowances Act 2001 (first-year...

Social Security Fraud Act 2001 (c. 11)

- 15 The Social Security Fraud Act 2001 is amended as follows....
- 16 In section 6B (loss of benefit for conviction etc), in...
- 17 In section 7 (loss of benefit for repeated conviction etc),...
- 18 In section 11 (regulations), in subsection (3)(c), for the words...

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

- 19 The Commissioners for Revenue and Customs Act 2005 is amended...
- 20 In section 5 (initial functions), in subsection (1), after paragraph...
- 21 In section 44 (payment into Consolidated Fund), in subsection (3),...

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),...
- 24 In section 2 (amount of contributory allowance), in subsection (1),...
- 25 (1) Section 27 (financial provisions) is amended as follows.
- 26 In each of the following provisions, for “a contributory allowance”...

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...
- 29 In section 1108 (relief relating to vaccine research etc: total...

SCHEDULE 4 — Housing credit element of state pension credit
Part 1 — AMENDMENTS TO STATE PENSION CREDIT ACT 2002

State Pension Credit Act 2002 (c. 16)

- 1 The State Pension Credit Act 2002 is amended as follows....
- 2 In section 1 (entitlement), in subsection (2)(c), at the end...
- 3 In that section, in subsection (3)— (a) after paragraph (b)...
- 4 After section 3 there is inserted— Housing credit (1) The first of the conditions mentioned in section 1(2)(c)(iii)...
- 5 In section 7 (fixing of retirement provision for assessed income...
- 6 In section 12 (polygamous marriages), in subsection (2)(b), after “savings...
- 7 In section 17 (interpretation), in subsection (1), after the definition...

Part 2 — AMENDMENTS TO OTHER ACTS

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Social Security Administration Act 1992 (c. 5)

- 9 The Social Security Administration Act 1992 is amended as follows....
10 In section 5 (regulations about claims and payments) in subsection...
11 In section 15A (mortgage interest)— (a) in subsection (1A)—
12 (1) Section 122F (supply by rent officers of information) is...

Housing Act 1996 (c. 52)

- 13 (1) Section 122 of the Housing Act 1996 (rent officers)...

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

- 14 In section 69 of the Child Support, Pensions and Social...

SCHEDULE 5 — Universal credit and other working-age benefits

General

- 1 (1) In this Schedule “relevant benefit“ means—

Dual entitlement

- 2 (1) Regulations may make provision as to the amount payable...

Movement between working-age benefits

- 3 Regulations may provide— (a) in a case where a person...

Hardship payments

- 4 Regulations under section 28 (hardship payments) may be made in...

Earnings tapers

- 5 In section 4 of the Jobseekers Act 1995 (amount payable...
6 (1) Section 2 of the Welfare Reform Act 2007 (amount...

SCHEDULE 6 — Migration to universal credit

General

- 1 (1) Regulations may make provision for the purposes of, or...

Claims before the appointed day

- 2 (1) The provision referred to in paragraph 1(1) includes—

Claims after the appointed day

- 3 (1) The provision referred to in paragraph 1(1) includes—

Awards

- 4 (1) The provision referred to in paragraph 1(1) includes—

Work-related requirements and sanctions

- 5 (1) The provision referred to in paragraph 1(1) includes—

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Tax credits

- 6 In relation to the replacement of working tax credit and...

Supplementary

- 7 Regulations under paragraph 1(1) may secure the result that any...

SCHEDULE 7 — Jobseeker's allowance in interim period: consequential amendments

Jobseekers Act 1995 (c. 18)

- 1 The Jobseekers Act 1995 is amended as follows.
2 (1) Section 8 (attendance etc) is amended as follows.
3 In section 16(3)(b) and 17(4) (in both places) for “good...
4 In section 17A (employment schemes), in subsection (5)(c) for
“jobseeker's...
5 Section 20 (exemptions from section 19) is amended as follows—...
6 Sections 20C and 20D (uncommenced provision relating to sanctions
for...
7 In section 22 (members of the forces), in subsection (2),...
8 In section 35 (interpretation), in subsection (1), before the definition...
9 In section 36 (regulations and orders), after subsection (1) there...
10 (1) Schedule 1 (supplementary) is amended as follows.

Social Security Act 1998 (c. 14)

- 11 In Schedule 3 to the Social Security Act 1998 (decisions...

Social Security Fraud Act 2001 (c. 11)

- 12 (1) Section 8 of the Social Security Fraud Act 2001...

Welfare Reform Act 2009 (c. 24)

- 13 The Welfare Reform Act 2009 is amended as follows.
14 In section 29(1) (victims of domestic violence), in sub-paragraph (3)...
15 (1) Section 31 (well-being of children) is amended as follows....
16 (1) Section 32 (contracting out) is amended as follows.

SCHEDULE 8 — Social fund discretionary payments: consequential amendments

- 1 The Social Security Administration Act 1992 is amended as follows....
2 In section 78(4) (recovery of funeral payments out of social...
3 In section 79 (recovery of Northern Ireland payments), in paragraph...
4 In Part 1 of Schedule 4 (persons employed in social...

SCHEDULE 9 — Personal independence payment: amendments

Transport Act 1982 (c. 49)

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

Child Support Act 1991 (c. 48)

- 2 In section 8 of the Child Support Act 1991 (role...

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

- 3 The Social Security Contributions and Benefits Act 1992 is amended...
4 In section 30B (incapacity benefit: rate), in subsection (4), after...
5 (1) Section 64 (entitlement to attendance allowance) is amended as...
6 In section 150 (Christmas bonus for pensioners: interpretation), in subsection...

Social Security Administration Act 1992 (c. 5)

- 7 The Social Security Administration Act 1992 is amended as follows....
8 (1) Section 1 (entitlement to benefit dependent on claim) is...
9 In section 5(2) (regulations about claims for and payments of...
10 In section 71(11) (overpayments), after paragraph (ac) there is inserted
—...
11 In section 73 (overlapping benefits - general), after subsection (5)...
12 In section 121DA (interpretation of Part 6), in subsection (1),...
13 In section 122B (supply of other government information for fraud...
14 In section 122C (supply of information to authorities administering
benefit),...
15 In section 124 (age, death and marriage), in subsection (1),...
16 In section 125 (regulations as to notification of deaths), in...
17 In section 150 (uprating)— (a) in subsection (1), after paragraph...
18 In section 159 (effect of alteration in the component rates...
19 In section 159A (effect of alteration of rates of a...
20 In section 159B (effect of alterations affecting state pension credit),...
21 In section 159C (effect of alteration of rates of an...
22 In section 160 (implementation of increases in income support due...
23 In section 160A (implementation of increases in income-based
jobseeker's allowance...
24 In section 160B (implementation of increases in employment and
support...
25 In section 165 (adjustments between National Insurance Fund and
Consolidated...
26 In section 170 (Social Security Advisory Committee), in subsection (5)
—...
27 (1) Section 179 (reciprocal agreements) is amended as follows.
28 In section 180 (payment of travelling expenses), in paragraphs (a)...
29 In section 182B (information about postal redirection), in subsection (5)
(b),...
30 In section 184 (control of pneumoconiosis), in paragraph (c), for...
31 In section 187 (inalienability), in subsection (1), after paragraph (ac)...
32 In section 191 (interpretation), in the definition of “benefit”, for...
33 In Schedule 7 (regulations not requiring prior submission to Social...

Social Security (Recovery of Benefits) Act 1997 (c. 27)

- 34 The Social Security (Recovery of Benefits) Act 1997 is amended...
35 In section 29 (general interpretation), in the definition of “benefit”,...
36 In Schedule 2 (calculation of compensation payment), in the table—...

Social Security Act 1998 (c. 14)

- 37 The Social Security Act 1998 is amended as follows.
38 In section 2(2) (use of computers), after paragraph (k) (inserted...

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- 39 In section 8 (decisions by Secretary of State)—
- 40 In section 11(3) (regulations with respect to decisions), in the...
- 41 In section 27(7) (restriction on entitlement in cases of error),...
- 42 In section 28(3) (correction of errors in decisions etc), after...
- 43 In Schedule 3 (decisions against which an appeal lies), in...

Immigration and Asylum Act 1999 (c. 33)

- 44 In section 115 of the Immigration and Asylum Act 1999...

Social Security Fraud Act 2001 (c. 11)

- 45 The Social Security Fraud Act 2001 is amended as follows....
- 46 In section 6A(1) (definitions)— (a) in the definition of “disqualifying...
- 47 In section 10 (power to supplement and mitigate loss of...

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

- 48 The Income Tax (Earnings and Pensions) Act 2003 is amended...
- 49 In section 677 (UK social security benefits wholly exempt from...
- 50 In Part 1 of Schedule 1 (abbreviations of Acts), at...

SCHEDULE 10 — Personal independence payment: transitional

General

- 1 (1) Regulations under section 93 may in particular make provision...

Claims before the appointed day

- 2 (1) The provision referred to in paragraph 1(1) includes—

Claims after the appointed day

- 3 (1) The provision referred to in paragraph 1(1) includes—

Awards

- 4 (1) The provision referred to in paragraph 1(1) includes—

Supplementary

- 5 Regulations under section 93— (a) may secure the result that...

SCHEDULE 11 — Power to require consideration of revision before appeal

Vaccine Damage Payments Act 1979 (c. 17)

- 1 The Vaccine Damage Payments Act 1979 is amended as follows....
- 2 (1) Section 4 (appeals to appeal tribunals) is amended as...
- 3 (1) Section 8 (regulations) is amended as follows.

Child Support Act 1991 (c. 48)

- 4 The Child Support Act 1991 is amended as follows.
- 5 (1) Section 20 (appeals to First-tier Tribunal), as substituted by...
- 6 (1) Section 20 (appeals to First-tier Tribunal), as it has...
- 7 In section 51A (pilot schemes) at the end there is...

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8 In section 52 (regulations and orders), in subsection (2)(a), after...

Social Security (Recovery of Benefits) Act 1997 (c. 27)

9 The Social Security (Recovery of Benefits) Act 1997 is amended...
10 (1) Section 11 (appeals against certificates) is amended as follows....
11 (1) Section 30 of that Act (regulations and orders) is...

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

12 Schedule 7 to the Child Support, Pensions and Social Security...
13 (1) Paragraph 6 (housing benefit and council tax benefit: appeal...
14 In paragraph 20(4) (regulations subject to affirmative procedure) for
“or...”

Child Maintenance and Other Payments Act 2008 (c. 6)

15 The Child Maintenance and Other Payments Act 2008 is amended...
16 In section 49(2) (regulations regarding reconsideration) after “and”
there is...
17 (1) Section 50 (appeals to First-tier Tribunal) is amended as...
18 (1) Section 53 (regulations under Part 4) is amended as...

SCHEDULE 12 — Supersession of decisions of former appellate bodies

Child Support Act 1991 (c. 48)

1 The Child Support Act 1991 is amended as follows.
2 (1) Section 17 (decisions superseding earlier decisions) is amended as...
3 (1) In Schedule 4C (departure directions), paragraph 2 is amended...

Social Security Act 1998 (c. 14)

4 (1) Section 10 of the Social Security Act 1998 (decisions...

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

5 (1) In Schedule 7 to the Child Support, Pensions and...

SCHEDULE 13 — Social Mobility and Child Poverty Commission

Part 1 — ESTABLISHMENT OF SOCIAL MOBILITY AND CHILD POVERTY
COMMISSION

1 The Child Poverty Act 2010 is amended as follows.
2 For section 8 (and the preceding italic heading) there is...
3 For Schedule 1 (Child Poverty Commission) there is substituted—
SCHEDULE...

Part 2 — SUPPLEMENTARY AMENDMENTS TO CHILD POVERTY ACT 2010

4 The Child Poverty Act 2010 is amended as follows.
5 In section 6 (persistent poverty target), subsection (6)(b) and the...
6 In section 10 (provision of advice and consultation)—
7 In section 13 (advice and consultation: Scotland and Northern Ireland)
—...
8 (1) In the italic heading preceding section 14, for “Reports”...
9 (1) Section 15 (statement in relation to target year) is...
10 In section 16 (economic and fiscal circumstances), in subsection (1)
(b),...

Status: Point in time view as at 22/10/2012.

Changes to legislation: Welfare Reform Act 2012 is up to date with all changes known to be in force on or before 24 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)

- 11 (1) Section 18 (interpretation) is amended as follows.
- 12 In section 28 (regulations and orders), in subsection (5)(b), after...
- 13 (1) Schedule 2 (continuing effect of targets) is amended as...
 - Part 3 — SUPPLEMENTARY AMENDMENTS TO OTHER ACTS
- 14 In Schedule 1 to the Public Records Act 1958 (definition...
- 15 In Schedule 2 to the Parliamentary Commissioner Act 1967 (departments...
- 16 (1) In Part 2 of Schedule 1 to the House...
- 17 In Part 6 of Schedule 1 to the Freedom of...

SCHEDULE 14 — Repeals

- Part 1 — ABOLITION OF BENEFITS SUPERSEDED BY UNIVERSAL CREDIT
- Part 2 — ENTITLEMENT TO JOBSEEKER'S ALLOWANCE WITHOUT SEEKING EMPLOYMENT
- Part 3 — JOBSEEKER'S ALLOWANCE: RESPONSIBILITIES FOR INTERIM PERIOD
- Part 4 — JOBSEEKER'S ALLOWANCE: RESPONSIBILITIES AFTER INTRODUCTION OF UNIVERSAL CREDIT
- Part 5 — EMPLOYMENT AND SUPPORT ALLOWANCE: RESPONSIBILITIES AFTER INTRODUCTION OF UNIVERSAL CREDIT
- Part 6 — CLAIMANTS DEPENDENT ON DRUGS ETC
- Part 7 — INDUSTRIAL INJURIES ARISING BEFORE 5 JULY 1948
- Part 8 — SOCIAL FUND: ENDING OF DISCRETIONARY PAYMENTS
- Part 9 — DISABILITY LIVING ALLOWANCE
- Part 10 — POWERS TO REQUIRE INFORMATION RELATING TO CLAIMS AND AWARDS
- Part 11 — RECOVERY OF BENEFIT PAYMENTS
- Part 12 — LOSS OF BENEFIT: CAUTIONS
- Part 13 — INFORMATION-SHARING BETWEEN SECRETARY OF STATE AND HMRC
- Part 14 — STANDARDS OF DECISION-MAKING

Status:

Point in time view as at 22/10/2012.

Changes to legislation:

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