

*Status: Point in time view as at 15/04/2013.*

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## SCHEDULES

### SCHEDULE 1

Section 30

#### UNIVERSAL CREDIT: SUPPLEMENTARY REGULATION-MAKING POWERS

##### *Entitlement of joint claimants*

- 1 Regulations may provide for circumstances in which joint claimants may be entitled to universal credit without each of them meeting all the basic conditions referred to in section 4.

##### **Commencement Information**

**II** Sch. 1 para. 1 in force at 25.2.2013 by S.I. 2013/358, art. 2(2), Sch. 2 para. 39

PROSPECTIVE

##### *Linking periods*

- 2 Regulations may provide for periods of entitlement to universal credit which are separated by no more than a prescribed number of days to be treated as a single period.

##### *Couples*

- 3 (1) Regulations may provide—
- (a) for a claim made by members of a couple jointly to be treated as a claim made by one member of the couple as a single person (or as claims made by both members as single persons);
  - (b) for claims made by members of a couple as single persons to be treated as a claim made jointly by the couple.
- (2) Regulations may provide—
- (a) where an award is made to joint claimants who cease to be entitled to universal credit as such by ceasing to be a couple, for the making of an award (without a claim) to either or each one of them—
    - (i) as a single person, or
    - (ii) jointly with another person;
  - (b) where an award is made to a single claimant who ceases to be entitled to universal credit as such by becoming a member of a couple, for the making of an award (without a claim) to the members of the couple jointly;
  - (c) for the procedure to be followed, and information or evidence to be supplied, in relation to the making of an award under this paragraph.

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**Commencement Information**

**I2** Sch. 1 para. 3 in force at 25.2.2013 by S.I. 2013/358, art. 2(2), Sch. 2 para. 39

*Calculation of capital and income*

- 4 (1) Regulations may for any purpose of this Part provide for the calculation or estimation of—
- (a) a person's capital,
  - (b) a person's earned and unearned income, and
  - (c) a person's earned and unearned income in respect of an assessment period.
- (2) Regulations under sub-paragraph (1)(c) may include provision for the calculation to be made by reference to an average over a period, which need not include the assessment period concerned.
- (3) Regulations under sub-paragraph (1) may—
- (a) specify circumstances in which a person is to be treated as having or not having capital or earned or unearned income;
  - (b) specify circumstances in which income is to be treated as capital or capital as earned income or unearned income;
  - (c) specify circumstances in which unearned income is to be treated as earned, or earned income as unearned;
  - (d) provide that a person's capital is to be treated as yielding income at a prescribed rate;
  - (e) provide that the capital or income of one member of a couple is to be treated as that of the other member.
- (4) Regulations under sub-paragraph (3)(a) may in particular provide that persons of a prescribed description are to be treated as having a prescribed minimum level of earned income.
- (5) In the case of joint claimants the income and capital of the joint claimants includes (subject to sub-paragraph (6)) the separate income and capital of each of them.
- (6) Regulations may specify circumstances in which capital and income of either of joint claimants is to be disregarded in calculating their joint capital and income.

**Commencement Information**

**I3** Sch. 1 para. 4 in force at 25.2.2013 by S.I. 2013/358, art. 2(2), Sch. 2 para. 39

*Responsibility for children etc*

- 5 (1) Regulations may for any purpose of this Part specify circumstances in which a person is or is not responsible for a child or qualifying young person.
- (2) Regulations may for any purpose of this Part make provision about nominations of the responsible carer for a child (see section 19(6)(b)(ii)).

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**Commencement Information**

**14** Sch. 1 para. 5 in force at 25.2.2013 by S.I. 2013/358, art. 2(2), Sch. 2 para. 39

PROSPECTIVE

*Vouchers*

- 6
- (1) This paragraph applies in relation to an award of universal credit where the calculation of the amount of the award includes, by virtue of any provision of this Part, an amount in respect of particular costs which a claimant may incur.
  - (2) Regulations may provide for liability to pay all or part of the award to be discharged by means of provision of a voucher.
  - (3) But the amount paid by means of a voucher may not in any case exceed the total of the amounts referred to in sub-paragraph (1) which are included in the calculation of the amount of the award.
  - (4) For these purposes a voucher is a means other than cash by which a claimant may to any extent meet costs referred to in sub-paragraph (1) of a particular description.
  - (5) A voucher may for these purposes—
    - (a) be limited as regards the person or persons who will accept it;
    - (b) be valid only for a limited time.

*Work-related requirements*

- 7
- Regulations may provide that a claimant who—
- (a) has a right to reside in the United Kingdom under the EU Treaties, and
  - (b) would otherwise fall within section 19, 20 or 21,
- is to be treated as not falling within that section.

**Commencement Information**

**15** Sch. 1 para. 7 in force at 25.2.2013 by S.I. 2013/358, art. 2(2), Sch. 2 para. 39

PROSPECTIVE

*Good reason*

- 8
- Regulations may for any purpose of this Part provide for—
- (a) circumstances in which a person is to be treated as having or not having a good reason for an act or omission;
  - (b) matters which are or are not to be taken into account in determining whether a person has a good reason for an act or omission.

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## SCHEDULE 2

Section 31

### UNIVERSAL CREDIT: AMENDMENTS

VALID FROM 29/04/2013

#### *Children Act 1989 (c. 41)*

- 1 In the Children Act 1989, in the following provisions, after “in receipt” there is inserted “ of universal credit (except in such circumstances as may be prescribed), ”
- (a) section 17(9) (provision of services to children in need, their families and others);
  - (b) section 17A(5)(b) (direct payments);
  - (c) section 29(3) and (3A) (recoupment of cost of providing services etc);
  - (d) paragraph 21(4) of Schedule 2 (local authority support for children and families).

#### *Child Support Act 1991 (c. 48)*

- 2 In the Child Support Act 1991, in paragraph 5 of Schedule 1 (maintenance calculations), as it has effect apart from section 1 of the Child Support, Pensions and Social Security Act 2000, in sub-paragraph (4) after “Where” there is inserted “ universal credit (in such circumstances as may be prescribed), ”.

#### **Commencement Information**

**I6** Sch. 2 para. 2 in force at 25.2.2013 for specified purposes by S.I. 2013/358, art. 2(1), Sch. 1 para. 21

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

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

#### **Commencement Information**

**I7** Sch. 2 para. 3 in force at 25.2.2013 for specified purposes by S.I. 2013/358, art. 3(b)

**I8** Sch. 2 para. 3 in force at 25.2.2013 for specified purposes by S.I. 2013/358, art. 2(1), Sch. 1 para. 20

**I9** Sch. 2 para. 3 in force at 25.2.2013 for specified purposes by S.I. 2013/358, art. 5(1)

- 4 In section 1 (entitlement to benefit dependent on claim), in subsection (4), before paragraph (a) there is inserted—
- “(za) universal credit;”.

#### **Commencement Information**

**I10** Sch. 2 para. 4 in force at 25.2.2013 for specified purposes by S.I. 2013/358, art. 2(1), Sch. 1 para. 20

- 5 In section 5 (regulations about claims and payments)—
- (a) in subsection (2), before paragraph (a) there is inserted—

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- “(za) universal credit.”;
- (b) in subsection (6), after “in relation to“ there is inserted “universal credit or”.

**Commencement Information**

**I11** Sch. 2 para. 5 in force at 25.2.2013 by S.I. 2013/358, art. 2(2), Sch. 2 para. 40

- 6 (1) Section 15A (payment out of benefit of sums in respect of mortgage interest) is amended as follows.
- (2) In subsection (1)—
- (a) in paragraph (a), after “entitled, to“ there is inserted “universal credit.”;
- (b) in paragraph (b), after “determining“ there is inserted “the maximum amount for the purposes of universal credit or”;
- (c) in the words after paragraph (b), after “whose” there is inserted “ maximum amount for the purposes of universal credit or ”.
- (3) In subsection (4)—
- (a) in the definition of “qualifying associate”—
- (i) before “falls” there is inserted “or universal credit.”;
- (ii) before “as responsible” there is inserted “or Part 1 of the Welfare Reform Act 2012”;
- (b) in the definition of “relevant benefits”, before paragraph (a) there is inserted—
- “(za) universal credit.”.

**Commencement Information**

**I12** Sch. 2 para. 6 in force at 25.2.2013 by S.I. 2013/358, art. 2(2), Sch. 2 para. 40

- 7 In section 74 (income support and other payments), in subsection (2)(b), after “by way of” there is inserted “ universal credit or ”.

**Commencement Information**

**I13** Sch. 2 para. 7 in force at 25.2.2013 by S.I. 2013/358, art. 5(1)

VALID FROM 29/04/2013

- 8 In section 74A (payments of benefit where maintenance payments collected by Secretary of State), in subsection (7), after “applies are” there is inserted “ universal credit, ”.

VALID FROM 29/04/2013

- 9 In section 78 (recovery of social fund awards), in subsection (6)(d), after “receiving” there is inserted “ universal credit, ”.

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VALID FROM 29/04/2013

10 In section 105 (failure to maintain - general), in subsection (1)(b), after “neglect” there is inserted “ universal credit ”.

VALID FROM 29/04/2013

11 In section 106 (recovery of expenditure on benefit from person liable for maintenance), in subsections (1), (2), (3) and (4)(a) and (b), after “income support” there is inserted “ or universal credit ”.

VALID FROM 29/04/2013

12 In section 108 (reduction of expenditure on income support etc), in subsection (1)(a), after “income support” there is inserted “ or universal credit ”.

VALID FROM 29/04/2013

13 In section 109 (diversion of arrested earnings - Scotland), in subsection (1), after “in receipt of”, in both places, there is inserted “ universal credit ”.

VALID FROM 29/04/2013

14 In section 121DA (interpretation of Part 6), in subsection (1), after paragraph (hi) there is inserted—  
 “(hj) Part 1 of the Welfare Reform Act 2012;”.

VALID FROM 29/04/2013

15 In section 122B (supply of other government information for fraud prevention and verification), in subsection (3)(b) after “Welfare Reform Act 2007” there is inserted “ , Part 1 of the Welfare Reform Act 2012 ”.

VALID FROM 29/04/2013

16 (1) Section 122F (supply by rent officers of information relating to housing benefit) is amended as follows.

(2) In the heading, for “information relating to housing benefit” there is substituted “ benefit information ”.

(3) In subsection (1), for “housing benefit information” there is substituted “ benefit information ”.

(4) In subsection (3)(a) after “relating to” there is inserted “ universal credit ”.

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(5) In subsection (4)—
(a) for “housing benefit information” there is substituted “ benefit information ”;
(b) after “relating to” there is inserted “ universal credit ”.

VALID FROM 29/04/2013

17	In section 124 (age, death and marriage), in subsection (1)—
(a)	in paragraph (ac), the final “and” is repealed;
(b)	after that paragraph there is inserted—
	“(ad) of the provisions of Part 1 of the Welfare Reform Act 2012;”.

VALID FROM 29/04/2013

18	In section 125 (regulations as to notification of death), in subsection (1), after “2007” there is inserted “ , Part 1 of the Welfare Reform Act 2012 ”.
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VALID FROM 29/04/2013

19	In section 126 (information from personal representatives), in subsection (1), after “receipt of” there is inserted “ universal credit ”.
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VALID FROM 29/04/2013

20	In section 130 (duties of employers), in subsection (1), before paragraph (a) there is inserted—
	“(za) universal credit;”.

VALID FROM 29/04/2013

21	In section 132 (duties of employers - statutory maternity pay etc), in subsection (1), before paragraph (a) there is inserted—
	“(za) universal credit;”.

VALID FROM 29/04/2013

22	In section 150 (uprating)—
(a)	in subsection (1) at the end there is inserted—
	“(n) specified in regulations under sections 9 to 12 of the Welfare Reform Act 2012;”;
(b)	in subsection (7), after “2007” there is inserted “ or Part 1 of the Welfare Reform Act 2012 ”.

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23           After section 159C there is inserted—

**“159D Effect of alterations affecting universal credit**

- (1) Subject to such exceptions and conditions as may be prescribed, subsection (2) or (3) shall have effect where—
  - (a) an award of universal credit is in force in favour of any person (“the recipient”), and
  - (b) an alteration—
    - (i) in any element of universal credit,
    - (ii) in the recipient's benefit income,
    - (iii) in any amount to be deducted in respect of earned income under section 8(3)(a) of the Welfare Reform Act 2012,
    - (iv) in any component of a contribution-based jobseeker's allowance,
    - (v) in any component of a contributory employment and support allowance, or
    - (vi) in such other matters as may be prescribed,
 affects the computation of the amount of universal credit to which he is entitled.
- (2) Where, as a result of the alteration, the amount of universal credit to which the recipient is entitled is increased or reduced, then, as from the commencing date, the amount of universal credit payable in the case of the recipient under the award shall be the increased or reduced amount, without any further decision of the Secretary of State; and the award shall have effect accordingly.
- (3) Where, notwithstanding the alteration, the recipient continues on and after the commencing date to be entitled to the same amount by way of universal credit as before, the award shall continue in force accordingly.
- (4) Subsection (5) applies where a statement is made in the House of Commons by or on behalf of the Secretary of State which specifies—
  - (a) in relation to any of the items referred to in subsection (1)(b)(i) to (vi), the amount of the alteration which he proposes to make by an order under section 150, 150A or 152 or by or under any other enactment, and
  - (b) the date on which he proposes to bring the alteration in force (“the proposed commencing date”).
- (5) If, in a case where this subsection applies, an award of universal credit is made in favour of a person before the proposed commencing date and after the date on which the statement is made, the award—
  - (a) may provide for the universal credit to be paid as from the proposed commencing date at a rate determined by reference to the amounts of the items referred to in subsection (1)(b)(i) to (vi) which will be in force on that date, or
  - (b) may be expressed in terms of the amounts of those items in force at the date of the award.
- (6) In this section—



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“alteration”—

- (a) in relation to any element of universal credit, means its alteration by or under any enactment;
- (b) in relation to a person's benefit income, means the alteration of any of the sums referred to in section 150 or 150A by any enactment or by an order under section 150, 150A or 152 to the extent that any such alteration affects the amount of his benefit income;
- (c) in relation to any component of a contribution-based jobseeker's allowance or a contributory employment and support allowance, means its alteration by or under any enactment;
- (d) in relation to any other matter, has such meaning as may be prescribed;

“benefit income”, in relation to a person, means so much of his income as consists of benefit under the Contributions and Benefits Act or personal independence payment;

“the commencing date”, in relation to an alteration, means the date on which the alteration comes into force in relation to the recipient;

“component”—

- (a) in relation to contribution-based jobseeker's allowance, means any of the sums specified in regulations under the Jobseekers Act 1995 which are relevant in calculating the amount payable by way of a jobseeker's allowance;
- (b) in relation to a contributory employment and support allowance, means any of the sums specified in regulations under Part 1 of the Welfare Reform Act 2007 which are relevant in calculating the amount payable by way of such an allowance;

“element”, in relation to universal credit, means any of the amounts specified in regulations under sections 9 to 12 of the Welfare Reform Act 2012 which are included in the calculation of an award of universal credit.”

#### Commencement Information

**I14** Sch. 2 para. 23 in force at 25.2.2013 for specified purposes by S.I. 2013/358, art. 2(1), Sch. 1 para. 20

PROSPECTIVE

24 After section 160B there is inserted—

#### “160C Implementation of increases in universal credit due to attainment of a particular age

(1) This section applies where—

- (a) an award of universal credit is in force in favour of a person (“the recipient”), and

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- (b) an element has become applicable, or applicable at a particular rate, because he or some other person has reached a particular age (“the qualifying age”).
- (2) If, as a result of the recipient or other person reaching the qualifying age, the recipient becomes entitled to an increased amount of universal credit, the amount payable to or for him under the award shall, as from the day on which he becomes so entitled, be that increased amount, without any further decision of the Secretary of State; and the award shall have effect accordingly.
- (3) Subsection (2) does not apply where, in consequence of the recipient or other person reaching the qualifying age, a question arises in relation to the recipient's entitlement to—
  - (a) a benefit under the Contribution and Benefits Act, or
  - (b) personal independence payment.
- (4) Subsection (2) does not apply where, in consequence of the recipient or other person reaching the qualifying age, a question arises in relation to the recipient's entitlement to universal credit, other than—
  - (a) the question whether the element concerned, or any other element, becomes or ceases to be applicable, or applicable at a particular rate, in the recipient's case, and
  - (b) the question whether, in consequence, the amount of his universal credit falls to be varied.
- (5) In this section, “element”, in relation to universal credit, means any of the amounts specified in regulations under sections 9 to 12 of the Welfare Reform Act 2012 which are included in the calculation of an award of universal credit.”

VALID FROM 29/04/2013

- 25 (1) Section 165 (adjustments between National Insurance Fund and Consolidated Fund) is amended as follows.
  - (2) In subsection (1)(a)(iii), after “Act” there is inserted “, universal credit”.
  - (3) In subsection (6)(a), for “or section 27 of the Welfare Reform Act 2007” there is substituted “section 27 of the Welfare Reform Act 2007 or section 148 of the Welfare Reform Act 2012”.
- 26 (1) In section 170 (Social Security Advisory Committee), subsection (5) is amended as follows.
  - (2) In the definition of “the relevant enactments”—
    - (a) in paragraph (af), for the words from “sections 68” to “to that Act” there is substituted “sections 69 and 70 of the Child Support, Pensions and Social Security Act 2000;”;
    - (b) after paragraph (aj) there is inserted—
      - “(ak) the provisions of Part 1 of the Welfare Reform Act 2012;”.
  - (3) In the definition of “the relevant Northern Ireland enactments”—

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- (a) in paragraph (af), for the words from “sections 68” to “to that Act” there is substituted “sections 69 and 70 of the Child Support, Pensions and Social Security Act 2000;”;
- (b) after paragraph (aj) there is inserted—
  - “(ak) any provisions in Northern Ireland which correspond to the provisions of Part 1 of the Welfare Reform Act 2012;”.

**Commencement Information**

**I15** Sch. 2 para. 26 in force at 25.2.2013 by S.I. 2013/358, art. 3(a)

VALID FROM 29/04/2013

- 27 (1) Section 179 (reciprocal agreements) is amended as follows.
- (2) In subsection (3)(a), after “2007” there is inserted “, Part 1 of the Welfare Reform Act 2012”.
  - (3) In subsection (4), after paragraph (af) there is inserted—
    - “(ag) to Part 1 of the Welfare Reform Act 2012; and”.
  - (4) In subsection (5), before paragraph (a) there is inserted—
    - “(za) universal credit;”.

VALID FROM 29/04/2013

- 28 In section 180 (payment of travelling expenses), in paragraphs (a) and (b)(i), after “2007” there is inserted “, Part 1 of the Welfare Reform Act 2012”.

VALID FROM 29/04/2013

- 29 In section 182B (information about postal redirection), in subsection (5)(b), after “1995” there is inserted “, Part 1 of the Welfare Reform Act 2012”.

VALID FROM 29/04/2013

- 30 In section 187 (inalienability), in subsection (1), before paragraph (a) there is inserted—
  - “(za) universal credit;”.

- 31 In section 191 (interpretation), in the definition of “benefit”, after “includes” there is inserted “ universal credit, ”.

**Commencement Information**

**I16** Sch. 2 para. 31 in force at 25.2.2013 for specified purposes by S.I. 2013/358, art. 2(1), Sch. 1 para. 21

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

32 The Local Government Finance Act 1992 is amended as follows.

**Commencement Information**

**I17** Sch. 2 para. 32 in force at 25.2.2013 for specified purposes by S.I. 2013/358, art. 2(1), Sch. 1 para. 21

33 (1) Schedule 4 is amended as follows.

(2) In paragraph 6—

- (a) in sub-paragraph (1), after “entitled to“ there is inserted “universal credit”;
- (b) in sub-paragraph (2)(b), after “by way of“ there is inserted “universal credit”.

(3) In paragraph 12(1)—

- (a) after paragraph (a) there is inserted—
  - “(aa) deductions from universal credit may be resorted to more than once;”;
- (b) in paragraph (d), after “attachment of earnings” there is inserted “deductions from universal credit“.

**Commencement Information**

**I18** Sch. 2 para. 33 in force at 25.2.2013 for specified purposes by S.I. 2013/358, art. 2(1), Sch. 1 para. 21

34 In Schedule 8, in paragraph 6—

- (a) in sub-paragraph (1), after “entitled to“ there is inserted “universal credit”;
- (b) in sub-paragraph (2)(b), after “by way of“ there is inserted “universal credit”.

**Commencement Information**

**I19** Sch. 2 para. 34 in force at 25.2.2013 for specified purposes by S.I. 2013/358, art. 2(1), Sch. 1 para. 21

VALID FROM 29/04/2013

*Jobseekers Act 1995 (c. 18)*

35 In section 2 of the Jobseekers Act 1995, in subsection (3C) (as inserted by section 12(5) of the Welfare Reform Act 2009), in the definition of “benefit”, before paragraph (a) there is inserted—

- “(za) universal credit.”.

*Housing Act 1996 (c. 52)*

36 In section 122 of the Housing Act 1996 (rent officers), in the heading and in subsection (1), after “with” there is inserted “ universal credit, ”.

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**Commencement Information**

**I20** Sch. 2 para. 36 in force at 25.2.2013 by S.I. 2013/358, art. 2(2), Sch. 2 para. 40

VALID FROM 29/04/2013

*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), before sub-paragraph (i) there is inserted—
- “(ai) in receipt of universal credit in such circumstances as may be prescribed for the purposes of this paragraph,”.
- 39 In section 512ZB (provision of free school lunches and milk: eligibility to request free milk)—
- (a) in subsection (4)(a), before sub-paragraph (i) there is inserted—
- “(ai) in receipt of universal credit in such circumstances as may be prescribed for the purposes of this paragraph, or”;
- (b) in subsection (4)(b), before sub-paragraph (i) there is inserted—
- “(ai) in receipt of universal credit in such circumstances as may be prescribed for the purposes of this paragraph, or”.

VALID FROM 29/04/2013

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

- 40 The Social Security (Recovery of Benefits) Act 1997 is amended as follows.
- 41 In section 29 (general interpretation), in the definition of “benefit”, after “means” there is inserted “ universal credit ”.
- 42 In the table in Schedule 2 (calculation of compensation payment), in the section relating to compensation for earnings lost during the relevant period, at the top of the second column insert “ Universal credit ”.

*Social Security Act 1998 (c. 14)*

- 43 The Social Security Act 1998 (decisions and appeals) is amended as follows.

**Commencement Information**

**I21** Sch. 2 para. 43 in force at 25.2.2013 for specified purposes by S.I. 2013/358, art. 2(1), Sch. 1 para. 21  
**I22** Sch. 2 para. 43 in force at 1.4.2013 for specified purposes by S.I. 2013/358, art. 6(4)(d)(i)

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- 44 In section 2 (use of computers), in subsection (2)—
- (a) in paragraph (i), the final “or” is repealed;
  - (b) after paragraph (j) there is inserted—
    - “(k) Part 1 of the Welfare Reform Act 2012;”.

- 45 In section 8 (decisions by Secretary of State)—
- (a) in subsection (3), after paragraph (a) there is inserted—
    - “(aa) universal credit;”;
  - (b) in subsection (4), for “or Part 1 of the Welfare Reform Act 2007” there is substituted “, Part 1 of the Welfare Reform Act 2007, Part 1 of the Welfare Reform Act 2012 ”.

**Commencement Information**

**I23** Sch. 2 para. 45 in force at 25.2.2013 for specified purposes by S.I. 2013/358, art. 2(1), Sch. 1 para. 21

- 46 In section 11 (regulations with respect to decisions), in subsection (3), for “and Part 1 of the Welfare Reform Act 2007” there is substituted “, Part 1 of the Welfare Reform Act 2007, Part 1 of the Welfare Reform Act 2012 ”.

**Commencement Information**

**I24** Sch. 2 para. 46 in force at 25.2.2013 by S.I. 2013/358, art. 2(2), Sch. 2 para. 40

- 47 In section 27 (restriction on entitlement in cases of error), in subsection (7), in the definition of “benefit” for paragraph (f) there is substituted—
- “(f) universal credit”.

**Commencement Information**

**I25** Sch. 2 para. 47 in force at 25.2.2013 for specified purposes by S.I. 2013/358, art. 2(1), Sch. 1 para. 21

- 48 In section 28(3) (correction of errors in decisions etc)—
- (a) in paragraph (f), the final “or” is repealed;
  - (b) after paragraph (g) there is inserted—
    - “(h) Part 1 of the Welfare Reform Act 2012;”.

**Commencement Information**

**I26** Sch. 2 para. 48 in force at 25.2.2013 by S.I. 2013/358, art. 2(2), Sch. 2 para. 40

- 49 In section 39 (interpretation), in subsection (1), before the definition of “health care professional” there is inserted—
- ““claimant”, in relation to a couple jointly claiming universal credit, means the couple or either member of the couple;”.

*Status: Point in time view as at 15/04/2013.*

**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)

**Commencement Information**

**I27** Sch. 2 para. 49 in force at 25.2.2013 for specified purposes by S.I. 2013/358, art. 2(1), Sch. 1 para. 21

VALID FROM 29/04/2013

50 (1) Schedule 2 (decisions against which no appeal lies) is amended as follows.

(2) In paragraph 6(b), at the end there is inserted “or  
(v) section 159D(1)(b) of that Act (universal credit).”

(3) After paragraph 7 there is inserted—

*“Increases in universal credit due to attainment of particular ages*

7A A decision as to the amount of benefit to which a person is entitled, where it appears to the Secretary of State that the amount is determined by the recipient's entitlement to an increased amount of universal credit in the circumstances referred to in section 160C(2) of the Administration Act.”

51 In Schedule 3 (decisions against which an appeal lies), after paragraph 3 there is inserted—

“3A A decision as to the amount of a relevant benefit that is payable to a person by virtue of regulations under section 6B, 7, 8 or 9 of the Social Security Fraud Act 2001.”

**Commencement Information**

**I28** Sch. 2 para. 51 in force at 1.4.2013 by S.I. 2013/358, art. 6(4)(d)(i)

VALID FROM 29/04/2013

*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)—

(a) before paragraph (a) there is inserted—

“(za) to such portion of the maximum amount of an award of universal credit under section 8(1) of the Welfare Reform Act 2012, or”;

(b) in paragraph (b) after “components” there is inserted “ or elements ”.

54 In section 115(1) (exclusion from benefits of persons subject to immigration control) after “is entitled” there is inserted “ to universal credit under Part 1 of the Welfare Reform Act 2012 or ”.

*Status: Point in time view as at 15/04/2013.*

*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)*

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

- 55 In section 69 of the Child Support, Pensions and Social Security Act 2000, in subsection (1)(a), after “both” there is inserted “, universal credit”.

**Commencement Information**

**I29** Sch. 2 para. 55 in force at 25.2.2013 for specified purposes by S.I. 2013/358, art. 2(1), Sch. 1 para. 21

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

- 56 The Social Security Fraud Act 2001 is amended as follows.

**Commencement Information**

**I30** Sch. 2 para. 56 in force at 25.2.2013 for specified purposes by S.I. 2013/358, art. 6(3)

**I31** Sch. 2 para. 56 in force at 1.4.2013 for specified purposes by S.I. 2013/358, art. 6(4)(d)(ii)

- 57 In section 6A (definitions), in subsection (1), in the definition of “disqualifying benefit”, at the beginning there is inserted—

“(za) any benefit under Part 1 of the Welfare Reform Act 2012 (universal credit) or under any provision having effect in Northern Ireland corresponding to that Part;”.

**Commencement Information**

**I32** Sch. 2 para. 57 in force at 1.4.2013 by S.I. 2013/358, art. 6(4)(d)(ii)

- 58 (1) Section 6B (loss of benefit in case of conviction, penalty or caution for benefit offence) is amended as follows.

(2) In subsection (5), for “(6)” there is substituted “ (5A) ”.

(3) After subsection (5) there is inserted—

“(5A) The Secretary of State may by regulations provide that, where the sanctionable benefit is universal credit, the benefit shall be payable, during the whole or a part of any period comprised in the disqualification period, as if one or more of the following applied—

- (a) the amount payable were reduced in such manner as may be prescribed;
- (b) the benefit were payable only if there is compliance by the offender with such obligations with respect to the provision of information as may be imposed by the regulations;
- (c) the benefit were payable only if the circumstances are otherwise such as may be prescribed;
- (d) any amount of the benefit payable in prescribed circumstances were recoverable by the Secretary of State.”

(4) In subsection (7), after paragraph (c) there is inserted—

“(d) any amount of the allowance payable in prescribed circumstances were recoverable by the Secretary of State.”



*Status: Point in time view as at 15/04/2013.*

*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)*

#### Commencement Information

- I33** Sch. 2 para. 58(1) in force at 25.2.2013 for specified purposes by S.I. 2013/358, **art. 6(1)(2)(a)**  
**I34** Sch. 2 para. 58(1) in force at 1.4.2013 for specified purposes by S.I. 2013/358, **art. 6(4)(d)(ii)**  
**I35** Sch. 2 para. 58(2) in force at 1.4.2013 by S.I. 2013/358, **art. 6(4)(d)(ii)**  
**I36** Sch. 2 para. 58(3) in force at 25.2.2013 by S.I. 2013/358, **art. 6(1)(2)(a)**

59 (1) Section 7 (loss of benefit for second or subsequent conviction of benefit offence) is amended as follows.

(2) In subsection (2), for “(3)” there is substituted “(2A)”.

(3) After subsection (2) there is inserted—

“(2A) The Secretary of State may by regulations provide that, where the sanctionable benefit is universal credit, the benefit shall be payable, during the whole or a part of any period comprised in the disqualification period, as if one or more of the following applied—

- (a) the amount payable were reduced in such manner as may be prescribed;
- (b) the benefit were payable only if there is compliance by the offender with such obligations with respect to the provision of information as may be imposed by the regulations;
- (c) the benefit were payable only if the circumstances are otherwise such as may be prescribed;
- (d) any amount of the benefit payable in prescribed circumstances were recoverable by the Secretary of State.”

(4) In subsection (4), after paragraph (c) there is inserted—

“(d) any amount of the allowance payable in prescribed circumstances were recoverable by the Secretary of State.”

#### Commencement Information

- I37** Sch. 2 para. 59(1) in force at 25.2.2013 for specified purposes by S.I. 2013/358, **art. 6(1)(2)(b)**  
**I38** Sch. 2 para. 59(1) in force at 1.4.2013 for specified purposes by S.I. 2013/358, **art. 6(4)(d)(ii)**  
**I39** Sch. 2 para. 59(2) in force at 1.4.2013 by S.I. 2013/358, **art. 6(4)(d)(ii)**  
**I40** Sch. 2 para. 59(3) in force at 25.2.2013 by S.I. 2013/358, **art. 6(1)(2)(b)**

PROSPECTIVE

60 (1) Section 8 (effect of offence on joint-claim jobseeker's allowance) is amended as follows.

(2) In subsection (3)—

- (a) for “but” at the end of paragraph (a) there is substituted “and”;
- (b) after paragraph (a) there is inserted—

“(aa) shall be payable in the couple's case as if any amount of the allowance payable in prescribed circumstances were recoverable by the Secretary of State; but”.

*Status: Point in time view as at 15/04/2013.*

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- (3) In subsection (4), after paragraph (c) there is inserted—  
 “(d) any amount of the allowance payable in prescribed circumstances were recoverable by the Secretary of State.”
- (4) In the opening words to subsections (7) and (8) the words “by virtue of any regulations” are repealed.
- 61 (1) Section 9 (effect of offence on benefits for members of offender's family) is amended as follows.
- (2) In subsection (1), before paragraph (a) there is inserted—  
 “(za) universal credit;”.
- (3) In subsection (2), for “or” at the end of paragraph (b) there is substituted “ and ”.
- (4) After subsection (2) there is inserted—  
 “(2A) In relation to cases in which the benefit is universal credit, the provision that may be made by virtue of subsection (2) is provision that, in the case of the offender's family member, any universal credit shall be payable, during the whole or a part of any period comprised in the relevant period, as if one or more of the following applied—  
 (a) the amount payable were reduced in such manner as may be prescribed;  
 (b) the benefit were payable only if there is compliance by the offender or the offender's family member, or both of them, with such obligations with respect to the provision of information as may be imposed by the regulations;  
 (c) the benefit were payable only if the circumstances are otherwise such as may be prescribed;  
 (d) any amount of the benefit payable in prescribed circumstances were recoverable by the Secretary of State.”
- (5) In subsection (4), after paragraph (c) there is inserted—  
 “(d) any amount of the allowance payable in prescribed circumstances were recoverable by the Secretary of State.”

#### Commencement Information

**I41** Sch. 2 para. 61(1) in force at 25.2.2013 for specified purposes by S.I. 2013/358, art. 6(1)(2)(c)

**I42** Sch. 2 para. 61(2)-(4) in force at 25.2.2013 by S.I. 2013/358, art. 6(1)(2)(c)

- 62 In section 10(3) (power to supplement and mitigate loss of benefit provisions) after paragraph (bc) there is inserted—  
 “(bd) any benefit under Part 1 of the Welfare Reform Act 2012 (universal credit) or under any provision having effect in Northern Ireland corresponding to that Part;”.

#### Commencement Information

**I43** Sch. 2 para. 62 in force at 1.4.2013 by S.I. 2013/358, art. 6(4)(d)(ii)

*Status: Point in time view as at 15/04/2013.*

*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)*

- 63 (1) In section 11 (loss of benefit regulations), subsection (3) is amended as follows.
- (2) In paragraph (c)—
- (a) for “6B(7)” there is substituted “ 6B(5A), (7) ”;
  - (b) for “7(4)” there is substituted “ 7(2A), (4) ”;
  - (c) for “9(4)” there is substituted “ 9(2A), (4) ”.
- (3) In paragraph (d) at the end there is inserted “or (aa)”.

**Commencement Information**

**I44** Sch. 2 para. 63(1) in force at 25.2.2013 for specified purposes by S.I. 2013/358, art. 6(1)(2)(d)

**I45** Sch. 2 para. 63(2) in force at 25.2.2013 by S.I. 2013/358, art. 6(1)(2)(d)

VALID FROM 15/05/2019

*State Pension Credit Act 2002 (c. 16)*

- 64 In section 4 of the State Pension Credit Act 2002 (exclusions), after subsection (1) there is inserted—
- “(1A) A claimant is not entitled to state pension credit if he is a member of a couple the other member of which has not attained the qualifying age.”

VALID FROM 29/04/2013

*Welfare Reform Act 2007 (c. 5)*

- 65 In Schedule 1 to the Welfare Reform Act 2007 (employment and support allowance: additional conditions), in paragraph 1(5), before paragraph (a) there is inserted—
- “(za) universal credit.”

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”.

*Status: Point in time view as at 15/04/2013.*

*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)*

- 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**

**I46** 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**

**I47** 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”.

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)”.

*Status: Point in time view as at 15/04/2013.*

*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)*

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.”

(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

*Status: Point in time view as at 15/04/2013.*

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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      [<sup>F1</sup>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\(2\)\(c\)\(viii\)\(5\)](#)

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

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

**Commencement Information**

- I48** 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**

- I49** Sch. 3 para. 16 in force at 1.4.2013 for specified purposes by [S.I. 2013/358, art. 8\(b\)](#)

*Status: Point in time view as at 15/04/2013.*

*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)*

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

**Commencement Information**

**I50** 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**

**I51** 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”.

VALID FROM 29/04/2013

*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”.
- 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);

*Status: Point in time view as at 15/04/2013.*

*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)*

- (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 ”.

PROSPECTIVE

SCHEDULE 4

Section 34

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 there is inserted “or  
 (iii) the conditions in section 3A(1) and (2) (housing credit).”
- 3 In that section, in subsection (3)—
- (a) after paragraph (b) there is inserted “or
  - (c) to a housing credit, calculated in accordance with section 3A, if he satisfies the conditions in subsections (1) and (2) of that section,”;
  - (b) for the words from “(or to both)” to the end there is substituted “ (or to more than one of them, if he satisfies the relevant conditions) ”.
- 4 After section 3 there is inserted—



*Status: Point in time view as at 15/04/2013.*

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### “3A Housing credit

- (1) The first of the conditions mentioned in section 1(2)(c)(iii) is that the claimant is liable to make payments in respect of the accommodation he occupies as his home.
- (2) The second of the conditions mentioned in section 1(2)(c)(iii) is that the claimant's capital and income are such that the amount of the housing credit payable (if he were entitled to it) would not be less than a prescribed amount.
- (3) Where the claimant is entitled to a housing credit, the amount of the housing credit shall be an amount calculated in or determined under regulations (which may be zero).
- (4) For the purposes of subsection (1)—
  - (a) the accommodation must be in Great Britain;
  - (b) the accommodation must be residential accommodation;
  - (c) it is immaterial whether the accommodation consists of the whole or part of a building and whether or not it comprises separate and self-contained premises.
- (5) Regulations may make provision as to—
  - (a) the meaning of “payments in respect of accommodation” for the purposes of this section (and, in particular, as to the extent to which such payments include mortgage payments);
  - (b) circumstances in which a claimant is to be treated as liable or not liable to make such payments;
  - (c) circumstances in which a claimant is to be treated as occupying or not occupying accommodation as his home (and, in particular, for temporary absences to be disregarded);
  - (d) circumstances in which land used for the purposes of any accommodation is to be treated as included in the accommodation.
- (6) Regulations under this section may make different provision for different areas.”

5 In section 7 (fixing of retirement provision for assessed income period), at the end there is inserted—

“(10) Regulations may prescribe circumstances in which subsection (3) does not apply for the purposes of determining the amount of a housing credit to which the claimant is entitled.”

6 In section 12 (polygamous marriages), in subsection (2)(b), after “savings credit” there is inserted “or housing credit”.

7 In section 17 (interpretation), in subsection (1), after the definition of “guarantee credit” there is inserted—

““housing credit” shall be construed in accordance with sections 1 and 3A;”.

(8) In Schedule 2 (consequential amendments etc), paragraph 9(5)(a) is repealed.

*Status: Point in time view as at 15/04/2013.*

*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)*

## PART 2

### AMENDMENTS TO OTHER ACTS

#### *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 (6), before “subsection” there is inserted “or housing credit (within the meaning of the State Pension Credit Act 2002)”.
- F211       .....

#### **Textual Amendments**

- F2**   Sch. 4 para. 11 repealed (6.4.2018) by [Welfare Reform and Work Act 2016 \(c. 7\)](#), **ss. 20(11)(f)(ii)**, 36(6); S.I. 2018/438, reg. 2(1) (with reg. 2(2)(3))

- 12   (1) Section 122F (supply by rent officers of information) is amended as follows.
- (2) In subsection (3)(a) at the end of the words in brackets there is inserted “or housing credit”.
- (3) In subsection (4) at the end there is inserted “or housing credit”.
- (4) After that subsection there is inserted—
- “(5) In this section “housing credit“ has the same meaning as in the State Pension Credit Act 2002”.

#### *Housing Act 1996 (c. 52)*

- 13   (1) Section 122 of the Housing Act 1996 (rent officers) is amended as follows.
- (2) In the heading, at the end there is inserted “and housing credit”.
- (3) In subsection (1), at the end there is inserted “or housing credit (within the meaning of the State Pension Credit Act 2002)”.

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

- 14   In section 69 of the Child Support, Pensions and Social Security Act 2000 (discretionary financial assistance with housing), in subsection (1)(a), after “universal credit” there is inserted “ or housing credit (within the meaning of the State Pension Credit Act 2002) ”.

*Status: Point in time view as at 15/04/2013.*

*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)*

## SCHEDULE 5

Section 35

### UNIVERSAL CREDIT AND OTHER WORKING-AGE BENEFITS

VALID FROM 29/04/2013

#### *General*

- 1
- (1) In this Schedule “relevant benefit“ means—
    - (a) jobseeker's allowance, or
    - (b) employment and support allowance.
  - (2) In this Schedule “work-related requirement“ means—
    - (a) a work-related requirement within the meaning of this Part,
    - (b) a work-related requirement within the meaning of the Jobseekers Act 1995, or
    - (c) a work-related requirement within the meaning of Part 1 of the Welfare Reform Act 2007.
  - (3) In this Schedule “sanction” means a reduction of benefit under—
    - (a) section 26 or 27,
    - (b) section 6J or 6K of the Jobseekers Act 1995, or
    - (c) section 11J of the Welfare Reform Act 2007.

#### *Dual entitlement*

- 2
- (1) Regulations may make provision as to the amount payable by way of a relevant benefit where a person is entitled to that benefit and universal credit.
  - (2) Regulations under sub-paragraph (1) may in particular provide for no amount to be payable by way of a relevant benefit.
  - (3) Regulations may, where a person is entitled to a relevant benefit and universal credit—
    - (a) make provision as to the application of work-related requirements;
    - (b) make provision as to the application of sanctions.
  - (4) Provision under sub-paragraph (3)(a) includes in particular—
    - (a) provision securing that compliance with a work-related requirement for a relevant benefit is to be treated as compliance with a work-related requirement for universal credit;
    - (b) provision disapplying any requirement on the Secretary of State to impose, or a person to comply with, a work-related requirement for a relevant benefit or universal credit.
  - (5) Provision under sub-paragraph (3)(b) includes in particular—
    - (a) provision for the order in which sanctions are to be applied to awards of relevant benefit and universal credit;
    - (b) provision to secure that the application of a sanction to an award of a relevant benefit does not result in an increase of the amount of an award of universal credit.

*Status: Point in time view as at 15/04/2013.*

*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)*

**Commencement Information**

**I52** Sch. 5 para. 2 in force at 25.2.2013 by S.I. 2013/358, art. 2(2), Sch. 2 para. 41

*Movement between working-age benefits*

- 3 Regulations may provide—
- (a) in a case where a person ceases to be entitled to universal credit and becomes entitled to a relevant benefit, for a sanction relating to the award of universal credit to be applied to the award of the relevant benefit;
  - (b) in a case where a person ceases to be entitled to a relevant benefit and becomes entitled to universal credit, for a sanction relating to the award of the relevant benefit to be applied to the award of universal credit;
  - (c) in a case where a person ceases to be entitled to one relevant benefit and becomes entitled to the other, for a sanction relating to the award of the former to apply to the award of the latter.

**Commencement Information**

**I53** Sch. 5 para. 3 in force at 25.2.2013 by S.I. 2013/358, art. 2(2), Sch. 2 para. 41

PROSPECTIVE

*Hardship payments*

- 4 Regulations under section 28 (hardship payments) may be made in relation to a person whose award of universal credit is reduced by virtue of regulations under paragraph 2(3)(b) or 3(b) as in relation to a person whose award is reduced under section 26 or 27.

PROSPECTIVE

*Earnings tapers*

- 5 In section 4 of the Jobseekers Act 1995 (amount payable by way of a jobseeker's allowance), in subsection (1)(b)—
- (a) after “making” there is inserted—
    - “(i) deductions in respect of earnings calculated in the prescribed manner (which may include multiplying some or all earnings by a prescribed percentage), and
    - (ii)”;
  - (b) “earnings,”(before “pension payments“) is repealed.
- 6 (1) Section 2 of the Welfare Reform Act 2007 (amount of contributory allowance) is amended as follows.
- (2) In subsection (1)(c), after “making” there is inserted—

*Status: Point in time view as at 15/04/2013.*

*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)*

“(i) deductions in respect of earnings calculated in the prescribed manner (which may include multiplying some or all earnings by a prescribed percentage), and  
(ii)”.

(3) At the end there is inserted—

“(6) In subsection (1)(c)(i) the reference to earnings is to be construed in accordance with sections 3, 4 and 112 of the Social Security Contributions and Benefits Act 1992.”

## SCHEDULE 6

Section 36

### MIGRATION TO UNIVERSAL CREDIT

#### *General*

- 1 (1) Regulations may make provision for the purposes of, or in connection with, replacing existing benefits with universal credit.
- (2) In this Schedule “existing benefit“ means—
  - (a) a benefit abolished under section 33(1);
  - (b) any other prescribed benefit.
- (3) In this Schedule “appointed day” means the day appointed for the coming into force of section 1.

#### **Commencement Information**

**I54** Sch. 6 para. 1(1)(2)(b) in force at 25.2.2013 by [S.I. 2013/358](#), art. 2(2), [Sch. 2 para. 42](#)

VALID FROM 18/07/2019

#### *Claims before the appointed day*

- 2 (1) The provision referred to in paragraph 1(1) includes—
  - (a) provision for a claim for universal credit to be made before the appointed day for a period beginning on or after that day;
  - (b) provision for a claim for universal credit made before the appointed day to be treated to any extent as a claim for an existing benefit;
  - (c) provision for a claim for an existing benefit made before the appointed day to be treated to any extent as a claim for universal credit.
- (2) The provision referred to in paragraph 1(1) includes provision, where a claim for universal credit is made (or is treated as made) before the appointed day, for an award on the claim to be made in respect of a period before the appointed day (including provision as to the conditions of entitlement for, and amount of, such an award).

*Status: Point in time view as at 15/04/2013.*

*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)*

### *Claims after the appointed day*

- 3 (1) The provision referred to in paragraph 1(1) includes—
- (a) provision permanently or temporarily excluding the making of a claim for universal credit after the appointed day by—
    - (i) a person to whom an existing benefit is awarded, or
    - (ii) a person who would be entitled to an existing benefit on making a claim for it;
  - (b) provision temporarily excluding the making of a claim for universal credit after the appointed day by any other person;
  - (c) provision excluding entitlement to universal credit temporarily or for a particular period;
  - (d) provision for a claim for universal credit made after the appointed day to be treated to any extent as a claim for an existing benefit;
  - (e) provision for a claim for an existing benefit made after the appointed day to be treated to any extent as a claim for universal credit.
- (2) The provision referred to in paragraph 1(1) includes provision, where a claim for universal credit is made (or is treated as made) after the appointed day, for an award on the claim to be made in respect of a period before the appointed day (including provision as to the conditions of entitlement for, and amount of, such an award).

#### **Commencement Information**

**I55** Sch. 6 para. 3(1)(a)-(c) in force at 25.2.2013 by [S.I. 2013/358](#), [art. 2\(2\)](#), [Sch. 2 para. 42](#)

### *Awards*

- 4 (1) The provision referred to in paragraph 1(1) includes—
- (a) provision for terminating an award of an existing benefit;
  - (b) provision for making an award of universal credit, with or without application, to a person whose award of existing benefit is terminated.
- (2) The provision referred to in sub-paragraph (1)(b) includes—
- (a) provision imposing requirements as to the procedure to be followed, information to be supplied or assessments to be undergone in relation to an award by virtue of that sub-paragraph or an application for such an award;
  - (b) provision as to the consequences of failure to comply with any such requirement;
  - (c) provision as to the terms on which, and conditions subject to which, such an award is made, including—
    - (i) provision temporarily or permanently disapplying, or otherwise modifying, conditions of entitlement to universal credit in relation to the award;
    - (ii) provision temporarily or permanently disapplying, or otherwise modifying, any requirement under this Part for a person to be assessed in respect of capability for work or work-related activity;
  - (d) provision as to the amount of such an award;
  - (e) provision that fulfilment of any condition relevant to entitlement to an award of an existing benefit, or relevant to the amount of such an award, is

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to be treated as fulfilment of an equivalent condition in relation to universal credit.

- (3) Provision under sub-paragraph (2)(d) may secure that where an award of universal credit is made by virtue of sub-paragraph (1)(b)—
- (a) the amount of the award is not less than the amount to which the person would have been entitled under the terminated award, or is not less than that amount by more than a prescribed amount;
  - (b) if the person to whom it is made ceases to be entitled to universal credit for not more than a prescribed period, the gap in entitlement is disregarded in calculating the amount of any new award of universal credit.

**Commencement Information**

**I56** Sch. 6 para. 4(1)(a) in force at 25.2.2013 by [S.I. 2013/358](#), art. 2(2), [Sch. 2 para. 42](#)

*Work-related requirements and sanctions*

- 5 (1) The provision referred to in paragraph 1(1) includes—
- (a) provision relating to the application of work-related requirements for relevant benefits;
  - (b) provision relating to the application of sanctions.
- (2) The provision referred to in sub-paragraph (1)(a) includes—
- (a) provision that a claimant commitment for a relevant benefit is to be treated as a claimant commitment for universal credit;
  - (b) provision that a work-related requirement for a relevant benefit is treated as a work-related requirement for universal credit;
  - (c) provision for anything done which is relevant to compliance with a work-related requirement for a relevant benefit to be treated as done for the purposes of compliance with a work-related requirement for universal credit;
  - (d) provision temporarily disapplying any provision of this Part in relation to work-related requirements for universal credit.
- (3) The provision referred to in sub-paragraph (1)(b) includes—
- (a) provision for a sanction relevant to an award of a relevant benefit to be applied to an award of universal credit;
  - (b) provision for anything done which is relevant to the application of a sanction for a relevant benefit to be treated as done for the purposes of the application of a sanction for universal credit;
  - (c) provision temporarily disapplying any provision of this Part in relation to the application of sanctions.
- (4) In this paragraph—
- “relevant benefit” means—
    - (a) jobseeker's allowance,
    - (b) employment and support allowance, and
    - (c) income support;
  - “work-related requirement” means—



*Status: Point in time view as at 15/04/2013.*

*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)*

- (a) for universal credit, a work-related requirement within the meaning of this Part;
  - (b) for jobseeker's allowance, a requirement imposed—
    - (i) by virtue of regulations under section 8 or 17A of the Jobseekers Act 1995,
    - (ii) by a jobseeker's direction (within the meaning of section 19A of that Act),
    - (iii) by virtue of regulations under section 2A, 2AA or 2D of the Social Security Administration Act 1992, or
    - (iv) by a direction under section 2F of that Act;
  - (c) for employment and support allowance, a requirement imposed—
    - (i) by virtue of regulations under section 8, 9, 11, 12 or 13 of the Welfare Reform Act 2007,
    - (ii) by a direction under section 15 of that Act,
    - (iii) by virtue of regulations under section 2A, 2AA or 2D of the Social Security Administration Act 1992, or
    - (iv) by a direction under section 2F of that Act;
  - (d) for income support, a requirement imposed—
    - (i) by virtue of regulations under section 2A, 2AA or 2D of the Social Security Administration Act 1992, or
    - (ii) by a direction under section 2F of that Act;
- “sanction” means a reduction of benefit under—
- (a) section 26 or 27 above,
  - (b) section 19, 19A or 19B of the Jobseekers Act 1995,
  - (c) section 11, 12 or 13 of the Welfare Reform Act 2007, or
  - (d) section 2A, 2AA or 2D of the Social Security Administration Act 1992.

**Commencement Information**

**I57** Sch. 6 para. 5(1)(2)(c)(d)(3)(a) in force at 25.2.2013 by [S.I. 2013/358](#), art. 2(2), [Sch. 2 para. 42](#)

*Tax credits*

- 6 In relation to the replacement of working tax credit and child tax credit with universal credit, the provision referred to in paragraph 1(1) includes—
- (a) provision modifying the application of the Tax Credits Act 2002 (or of any provision made under it);
  - (b) provision for the purposes of recovery of overpayments of working tax credit or child tax credit (including in particular provision for treating overpayments of working tax credit or child tax credit as if they were overpayments of universal credit).

**Commencement Information**

**I58** Sch. 6 para. 6 in force at 25.2.2013 by [S.I. 2013/358](#), art. 2(2), [Sch. 2 para. 42](#)



*Status: Point in time view as at 15/04/2013.*

*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)*

VALID FROM 18/07/2019

*Supplementary*

- 7 Regulations under paragraph 1(1) may secure the result that any gap in entitlement to an existing benefit (or what would, but for the provisions of this Part, be a gap in entitlement to an existing benefit) is to be disregarded for the purposes of provision under such regulations.

SCHEDULE 7

Section 48

JOBSEEKER'S ALLOWANCE IN INTERIM PERIOD: CONSEQUENTIAL AMENDMENTS

*Jobseekers Act 1995 (c. 18)*

- 1 The Jobseekers Act 1995 is amended as follows.

**Commencement Information**

**I59** Sch. 7 para. 1 in force at 22.10.2012 for specified purposes by S.I. 2012/2530, art. 2(2)(e)

- 2 (1) Section 8 (attendance etc) is amended as follows.
- (2) In subsection (1A)(a) (as originally enacted), for “the Secretary of State” there is substituted “an employment officer”.
- (3) In subsection (2), for paragraphs (a) to (c) there is substituted “ provide for entitlement to a jobseeker's allowance to cease at such time as may be determined in accordance with any such regulations if, when a person fails to comply with such regulations, that person (or, if that person is a member of a joint-claim couple, either member of the couple) does not make prescribed contact with an employment officer within a prescribed period of the failure. ”

**Commencement Information**

**I60** Sch. 7 para. 2 in force at 22.10.2012 by S.I. 2012/2530, art. 2(2)(f)

- 3 In section 16(3)(b) and 17(4) (in both places) for “good cause” there is substituted “ a good reason ”.

**Commencement Information**

**I61** Sch. 7 para. 3 in force at 22.10.2012 by S.I. 2012/2530, art. 2(2)(f)

*Status: Point in time view as at 15/04/2013.*

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PROSPECTIVE

- 4 [F3 In section 17A (employment schemes), in subsection (5)(c) for “jobseeker's agreement to which a person is a party” there is substituted “claimant commitment accepted by a person ”.]

**Textual Amendments**

- F3** Sch. 7 para. 4 repealed (29.4.2013 for specified purposes and subsequently on the days on which and for the purposes for which "the amending provisions" are brought into force by secondary legislation) by Welfare Reform Act 2012 (c. 5), s. 150(3), Sch. 14 Pt. 4; S.I. 2013/983, art. 7(1)(e) (with art. 7(2)) (as amended: (1.7.2013) by S.I. 2013/1511, art. 6)

- 5 Section 20 (exemptions from section 19) is amended as follows—
- (a) in the heading, after “19” there is inserted “ and 19A ”;
  - (b) in subsection (1), for “prevent payment” there is substituted “ authorise reduction ”;
  - (c) in subsection (2), for “19” there is substituted “19A” and for “(5)” there is substituted “ (2)(c) to (g) ”;
  - (d) in subsection (3), for “19(6)(b) or (d)” there is substituted “19(2)(b) or (d)” and for “ just cause ” there is substituted “good reason”.

**Commencement Information**

- I62** Sch. 7 para. 5 in force at 22.10.2012 by S.I. 2012/2530, art. 2(2)(f)

- 6 Sections 20C and 20D (uncommenced provision relating to sanctions for violent conduct etc) are repealed.

**Commencement Information**

- I63** Sch. 7 para. 6 in force at 22.10.2012 by S.I. 2012/2530, art. 2(2)(f)

- 7 In section 22 (members of the forces), in subsection (2), for “section 19(6)(b)” there is substituted “ section 19(2)(b) ”.

**Commencement Information**

- I64** Sch. 7 para. 7 in force at 22.10.2012 by S.I. 2012/2530, art. 2(2)(f)

- 8 In section 35 (interpretation), in subsection (1), before the definition of “jobseeking period” there is inserted—
- ““jobseeker's direction” has the meaning given by section 19A;”.

**Commencement Information**

- I65** Sch. 7 para. 8 in force at 22.10.2012 by S.I. 2012/2530, art. 2(2)(f)

- 9 In section 36 (regulations and orders), after subsection (1) there is inserted—

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“(1A) Subsection (1) does not apply to an order under section 35(1) in relation to employment officers.”

**Commencement Information**

**I66** Sch. 7 para. 9 in force at 22.10.2012 by S.I. 2012/2530, art. 2(2)(f)

- 10 (1) Schedule 1 (supplementary) is amended as follows.
- (2) In paragraph 8(b), for “entered into a jobseeker's agreement” there is substituted “accepted a claimant commitment”.
- (3) In paragraph 10, at the end there is inserted—
- “(6) References in sub-paragraphs (1) and (2) to an income-based jobseeker's allowance include a payment by way of such an allowance under section 19C.”

**Commencement Information**

**I67** Sch. 7 para. 10(1) in force at 22.10.2012 for specified purposes by S.I. 2012/2530, art. 2(2)(f)

**I68** Sch. 7 para. 10(3) in force at 22.10.2012 by S.I. 2012/2530, art. 2(2)(f)

PROSPECTIVE

*Social Security Act 1998 (c. 14)*

- 11 [<sup>F4</sup>In Schedule 3 to the Social Security Act 1998 (decisions against which an appeal lies), in paragraph 8 and in the heading to that paragraph, for “jobseeker's agreement” there is substituted “claimant commitment”.]

**Textual Amendments**

**F4** Sch. 7 para. 11 repealed (29.4.2013 for specified purposes and subsequently on the days on which and for the purposes for which “the amending provisions” are brought into force by secondary legislation) by Welfare Reform Act 2012 (c. 5), s. 150(3), Sch. 14 Pt. 4; S.I. 2013/983, art. 7(1)(e) (with art. 7(2)) (as amended: (1.7.2013) by S.I. 2013/1511, art. 6)

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

- 12 (1) Section 8 of the Social Security Fraud Act 2001 (effect of offence on joint-claim jobseeker's allowance) is amended as follows.
- (2) In subsection (2)—
- (a) at the beginning there is inserted “Except in prescribed circumstances”;
- (b) in paragraph (b), for sub-paragraph (i) there is substituted—
- “(i) is a person whose failure sanctionable under section 19, 19A or 19B of the Jobseekers Act 1995 has given rise to a reduction under that section; or”.

*Status: Point in time view as at 15/04/2013.*

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(3) Subsection (5) is repealed.

#### Commencement Information

**I69** Sch. 7 para. 12 in force at 22.10.2012 by S.I. 2012/2530, art. 2(2)(f)

#### *Welfare Reform Act 2009 (c. 24)*

PROSPECTIVE

13 The Welfare Reform Act 2009 is amended as follows.

PROSPECTIVE

14 [F5In section 29(1) (victims of domestic violence), in sub-paragraph (3) of paragraph 8B inserted into Schedule 1 to the Jobseekers Act 1995—

- (a) for the first “entered into a jobseeker's agreement” there is substituted “accepted a claimant commitment”;
- (b) for “9(10)” there is substituted “9(9)”;
- (c) for “entered into a jobseeker's agreement which is in force for” there is substituted “ accepted a claimant commitment during ”.]

#### Textual Amendments

**F5** Sch. 7 para. 14 repealed (29.4.2013 for specified purposes and subsequently on the days on which and for the purposes for which “the amending provisions” are brought into force by secondary legislation) by *Welfare Reform Act 2012 (c. 5)*, s. 150(3), **Sch. 14 Pt. 4**; S.I. 2013/983, art. 7(1)(e) (with art. 7(2)) (as amended: (1.7.2013) by S.I. 2013/1511, art. 6)

PROSPECTIVE

15 (1) Section 31 (well-being of children) is amended as follows.

(2) In subsection (1)—

- (a) for “(the jobseeker's agreement)” there is substituted “ (as substituted by section 44 of the Welfare Reform Act 2012 (the claimant commitment)) ”;
- (b) in the inserted subsection (4A), for “preparing a jobseeker's agreement for a claimant” there is substituted “ considering whether to invite a claimant to accept a claimant commitment ”.

16 (1) Section 32 (contracting out) is amended as follows.

(2) In subsection (2), in section 20E inserted into the Jobseekers Act 1995—

- (a) for subsection (2)(a) and (b) there is substituted—
  - “(a) any function under section 8 (attendance etc);
  - (b) any function under section 9 or 10 in relation to a claimant commitment;”;

*Status: Point in time view as at 15/04/2013.*

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- (b) after subsection (2)(d) there is inserted—
    - “(e) functions under section 19 or 19A;”;
  - (c) in subsection (4), “or 17A” is repealed.
- (3) In subsection (3), for paragraphs (a) to (d) there is substituted—
- “(a) section 8(1)(a), (1A) and (2);
  - (b) sections 9 and 10 (in all places);
  - (c) section 16(3)(b)(ii);
  - (d) sections 19 and 19A (in all places);”.

**Commencement Information**

- I70** Sch. 7 para. 16(1) in force at 22.10.2012 for specified purposes by S.I. 2012/2530, art. 2(2)(f)
- I71** Sch. 7 para. 16(2)(c) in force at 22.10.2012 by S.I. 2012/2530, art. 2(2)(f)

SCHEDULE 8

Section 70

SOCIAL FUND DISCRETIONARY PAYMENTS: CONSEQUENTIAL AMENDMENTS

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

**Commencement Information**

- I72** Sch. 8 para. 1 in force at 1.4.2013 by S.I. 2012/3090, art. 2(1)(c)

- 2 In section 78(4) (recovery of funeral payments out of social fund), after “Payments” there is inserted “ out of the social fund ”.

**Commencement Information**

- I73** Sch. 8 para. 2 in force at 1.4.2013 by S.I. 2012/3090, art. 2(1)(c)

- 3 In section 79 (recovery of Northern Ireland payments), in paragraph (c), for the words from “under subsection” to the end there is substituted “ under section 71(8) ”.

**Commencement Information**

- I74** Sch. 8 para. 3 in force at 1.4.2013 by S.I. 2012/3090, art. 2(1)(c)

VALID FROM 01/08/2013

- 4 In Part 1 of Schedule 4 (persons employed in social security administration), under the heading “Former officers”, after the entry for “A social fund officer” there is inserted—

“The social fund Commissioner.

*Status: Point in time view as at 15/04/2013.*

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A social fund inspector.

A member of any staff employed in connection with the social fund.”

## SCHEDULE 9

Section 91

### PERSONAL INDEPENDENCE PAYMENT: AMENDMENTS

#### *Transport Act 1982 (c. 49)*

- 1 In section 70 of the Transport Act 1982 (payments in respect of applicants for exemption from wearing seat belts), in subsection (2), after paragraph (a) there is inserted—
- “(ab) those in receipt of personal independence payment;”.

#### **Commencement Information**

**I75** Sch. 9 para. 1 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

#### *Child Support Act 1991 (c. 48)*

- 2 In section 8 of the Child Support Act 1991 (role of courts with respect to maintenance for children), in subsection (8)(a), at the beginning there is inserted “an allowance under Part 4 of the Welfare Reform Act 2012 (personal independence payment) or”.

#### **Commencement Information**

**I76** Sch. 9 para. 2 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

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

- 3 The Social Security Contributions and Benefits Act 1992 is amended as follows.

#### **Commencement Information**

**I77** Sch. 9 para. 3 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

PROSPECTIVE

- 4 In section 30B (incapacity benefit: rate), in subsection (4), after paragraph (a) there is inserted—
- “(aa) is entitled to the daily living component of personal independence payment at a rate designated by regulations under this paragraph, or”.

- 5 (1) Section 64 (entitlement to attendance allowance) is amended as follows.

*Status: Point in time view as at 15/04/2013.*

*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)*

(2) In subsection (1), for “the care component of a disability living allowance” there is substituted “an allowance within subsection (1A)”.

(3) After subsection (1) there is inserted—

“(1A) The following allowances are within this subsection—

- (a) personal independence payment;
- (b) the care component of a disability living allowance.”

**Commencement Information**

**I78** Sch. 9 para. 5 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

6 In section 150 (Christmas bonus for pensioners: interpretation), in subsection (1), after paragraph (ba) there is inserted—

“(bb) personal independence payment;”.

**Commencement Information**

**I79** Sch. 9 para. 6 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

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

7 The Social Security Administration Act 1992 is amended as follows.

**Commencement Information**

**I80** Sch. 9 para. 7 in force at 25.2.2013 for specified purposes by S.I. 2013/358, art. 2(2), Sch. 2 para. 43

**I81** Sch. 9 para. 7 in force at 25.2.2013 for specified purposes by S.I. 2013/358, art. 3(d)

**I82** Sch. 9 para. 7 in force at 25.2.2013 for specified purposes by S.I. 2013/358, art. 2(1), Sch. 1 para. 22

**I83** Sch. 9 para. 7 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

8 (1) Section 1 (entitlement to benefit dependent on claim) is amended as follows.

(2) In subsection (3)—

(a) before paragraph (a) there is inserted—

“(za) for personal independence payment by virtue of section 82 of the Welfare Reform Act 2012; or”;

(b) paragraph (b) and the “or” preceding it is repealed.

(3) In subsection (4), after paragraph (ac) there is inserted—

“(ad) personal independence payment.”

**Commencement Information**

**I84** Sch. 9 para. 8 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

9 In section 5(2) (regulations about claims for and payments of benefit), after paragraph (ac) there is inserted—

“(ad) personal independence payment;”.

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**Commencement Information**

**I85** Sch. 9 para. 9 in force at 25.2.2013 by S.I. 2013/358, art. 2(2), Sch. 2 para. 43

- 10 In section 71(11) (overpayments), after paragraph (ac) there is inserted—  
“(ad) personal independence payment;”.

**Commencement Information**

**I86** Sch. 9 para. 10 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

- 11 In section 73 (overlapping benefits - general), after subsection (5) there is inserted—  
“(6) Personal independence payment is to be treated for the purposes of this section as if it were benefit as defined in section 122 of the Contributions and Benefits Act.”

**Commencement Information**

**I87** Sch. 9 para. 11 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

- 12 In section 121DA (interpretation of Part 6), in subsection (1), after paragraph (hj) (inserted by Schedule 2 to this Act) there is inserted—  
“(hk) Part 4 of that Act;”.

**Commencement Information**

**I88** Sch. 9 para. 12 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

- 13 In section 122B (supply of other government information for fraud prevention and verification), in subsection (3)(b), after “Welfare Reform Act 2012” (inserted by Schedule 2 to this Act) there is inserted “, Part 4 of that Act”.

**Commencement Information**

**I89** Sch. 9 para. 13 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

- 14 In section 122C (supply of information to authorities administering benefit), in subsection (6)(b), after “Welfare Reform Act 2007” there is inserted “, Part 4 of the Welfare Reform Act 2012 ”.

**Commencement Information**

**I90** Sch. 9 para. 14 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

- 15 In section 124 (age, death and marriage), in subsection (1), after paragraph (ad) (inserted by Schedule 2 to this Act) there is inserted—  
“(ae) of the provisions of Part 4 of that Act;”.



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**Commencement Information**

**I91** Sch. 9 para. 15 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

- 16 In section 125 (regulations as to notification of deaths), in subsection (1), after “Welfare Reform Act 2012” (inserted by Schedule 2 to this Act) there is inserted “, Part 4 of that Act”.

**Commencement Information**

**I92** Sch. 9 para. 16 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

- 17 In section 150 (uprating)—
- (a) in subsection (1), after paragraph (n) (inserted by Schedule 2 to this Act) there is inserted—
    - “(o) specified in regulations under section 78(3) or 79(3) of that Act;”;
  - (b) in subsection (3)(b), for “or (g)” there is substituted “, (g) or (o)”.

**Commencement Information**

**I93** Sch. 9 para. 17 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

- 18 In section 159 (effect of alteration in the component rates of income support), in subsection (5), in the definition of “benefit income”, after “income support;” there is inserted—  
“(aa) personal independence payment;”.

**Commencement Information**

**I94** Sch. 9 para. 18 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

- 19 In section 159A (effect of alteration of rates of a jobseeker's allowance), in subsection (5), in the definition of “benefit income”, after “Contributions and Benefits Act;” there is inserted—  
“(ab) personal independence payment;”.

**Commencement Information**

**I95** Sch. 9 para. 19 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

- 20 In section 159B (effect of alterations affecting state pension credit), in subsection (6), in the definition of “benefit income”, after “Contributions and Benefits Act” there is inserted “ or personal independence payment ”.

**Commencement Information**

**I96** Sch. 9 para. 20 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

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- 21 In section 159C (effect of alteration of rates of an employment and support allowance), in subsection (6), in the definition of “benefit income”, after “Contributions and Benefits Act” there is inserted “ or personal independence payment ”.

**Commencement Information**

**I97** Sch. 9 para. 21 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

- 22 In section 160 (implementation of increases in income support due to attainment of particular ages), in subsection (3), after “entitlement to” there is inserted “personal independence payment or to“.

**Commencement Information**

**I98** Sch. 9 para. 22 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

- 23 In section 160A (implementation of increases in income-based jobseeker's allowance due to attainment of particular ages), in subsection (3), after “Contributions and Benefits Act;” there is inserted—  
 “(aa) personal independence payment;”.

**Commencement Information**

**I99** Sch. 9 para. 23 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

- 24 In section 160B (implementation of increases in employment and support allowance due to attainment of particular ages), in subsection (3), for the words from “a benefit” to the end there is substituted—  
 “(a) a benefit under the Contributions and Benefits Act; or  
 (b) personal independence payment.”

**Commencement Information**

**I100** Sch. 9 para. 24 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

- 25 In section 165 (adjustments between National Insurance Fund and Consolidated Fund), in subsection (1)(a)(iii), after “universal credit” (inserted by Schedule 2 to this Act) there is inserted “, personal independence payment”.

**Commencement Information**

**I101** Sch. 9 para. 25 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

- 26 In section 170 (Social Security Advisory Committee), in subsection (5)—  
 (a) in the definition of “the relevant enactments“, after paragraph (ak) (inserted by Schedule 2 to this Act) there is inserted—  
 “(al) Part 4 of that Act;”;  
 (b) in the definition of “the relevant Northern Ireland enactments”, after paragraph (ak) (inserted by Schedule 2 to this Act) there is inserted—

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“(al) any provisions in Northern Ireland which correspond to Part 4 of that Act;”.

**Commencement Information**

**I102** Sch. 9 para. 26 in force at 25.2.2013 by S.I. 2013/358, art. 3(c)

- 27 (1) Section 179 (reciprocal agreements) is amended as follows.
- (2) In subsection (3)(a), after “Welfare Reform Act 2012” (inserted by Schedule 2 to this Act) there is inserted “, Part 4 of that Act”.
- (3) In subsection (4), after paragraph (ag) (inserted by Schedule 2 to this Act) there is inserted—
- “(ah) to Part 4 of that Act;”.

**Commencement Information**

**I103** Sch. 9 para. 27 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

- 28 In section 180 (payment of travelling expenses), in paragraphs (a) and (b)(i), after “Welfare Reform Act 2012” (inserted by Schedule 2 to this Act) there is inserted “, Part 4 of that Act”.

**Commencement Information**

**I104** Sch. 9 para. 28 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

- 29 In section 182B (information about postal redirection), in subsection (5)(b), after “Welfare Reform Act 2012” (inserted by Schedule 2 to this Act) there is inserted “, Part 4 of that Act”.

**Commencement Information**

**I105** Sch. 9 para. 29 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

- 30 In section 184 (control of pneumoconiosis), in paragraph (c), for “benefit as defined in section 122 of the Contributions and Benefits Act” there is substituted “personal independence payment, or benefit as defined in section 122 of the Contributions and Benefits Act,”.

**Commencement Information**

**I106** Sch. 9 para. 30 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

- 31 In section 187 (inalienability), in subsection (1), after paragraph (ac) there is inserted—
- “(ad) personal independence payment;”.

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**Commencement Information**

**I107** Sch. 9 para. 31 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

- 32 In section 191 (interpretation), in the definition of “benefit”, for “, state pension credit and an employment and support allowance” there is substituted “ state pension credit, an employment and support allowance and personal independence payment ”.

**Commencement Information**

**I108** Sch. 9 para. 32 in force at 25.2.2013 for specified purposes by S.I. 2013/358, art. 2(1), Sch. 1 para. 22

**I109** Sch. 9 para. 32 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

- 33 In Schedule 7 (regulations not requiring prior submission to Social Security Advisory Committee), before paragraph 1 there is inserted—

*“Personal independence payment*

- A1 Regulations under section 78(3) or 79(3) of the Welfare Reform Act 2012.”

**Commencement Information**

**I110** Sch. 9 para. 33 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

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

- 34 The Social Security (Recovery of Benefits) Act 1997 is amended as follows.

**Commencement Information**

**I111** Sch. 9 para. 34 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

- 35 In section 29 (general interpretation), in the definition of “benefit”, after “employment and support allowance” there is inserted “ , personal independence payment ”.

**Commencement Information**

**I112** Sch. 9 para. 35 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

- 36 In Schedule 2 (calculation of compensation payment), in the table—
- (a) in the section relating to compensation for cost of care incurred during the relevant period, in the second column, after the entry for attendance allowance there is inserted “Daily living component of personal independence payment”;
  - (b) in the section relating to compensation for loss of mobility during the relevant period, in the second column, after the entry for mobility

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allowance there is inserted “Mobility component of personal independence payment”.

**Commencement Information**

**I113** Sch. 9 para. 36 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

*Social Security Act 1998 (c. 14)*

37 The Social Security Act 1998 is amended as follows.

**Commencement Information**

**I114** Sch. 9 para. 37 in force at 25.2.2013 for specified purposes by S.I. 2013/358, art. 2(2), Sch. 2 para. 43

**I115** Sch. 9 para. 37 in force at 25.2.2013 for specified purposes by S.I. 2013/358, art. 2(1), Sch. 1 para. 23

**I116** Sch. 9 para. 37 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

38 In section 2(2) (use of computers), after paragraph (k) (inserted by Schedule 2 to this Act) there is inserted “or  
(l) Part 4 of that Act.”

**Commencement Information**

**I117** Sch. 9 para. 38 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

39 In section 8 (decisions by Secretary of State)—  
(a) in subsection (3), after paragraph (ba) there is inserted—  
“(baa) personal independence payment;”;  
(b) in subsection (4), after the words “Welfare Reform Act 2012” (inserted by Schedule 2 to this Act) there is inserted “or Part 4 of that Act.”

**Commencement Information**

**I118** Sch. 9 para. 39 in force at 25.2.2013 for specified purposes by S.I. 2013/358, art. 2(1), Sch. 1 para. 23

**I119** Sch. 9 para. 39 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

40 In section 11(3) (regulations with respect to decisions), in the definition of “current legislation”, after the words “Welfare Reform Act 2012” (inserted by Schedule 2 to this Act) there is inserted “and Part 4 of that Act”.

**Commencement Information**

**I120** Sch. 9 para. 40 in force at 25.2.2013 by S.I. 2013/358, art. 2(2), Sch. 2 para. 43

41 In section 27(7) (restriction on entitlement in cases of error), in the definition of “benefit”—  
(a) after paragraph (de) there is inserted—  
“(df) personal independence payment;”;  
(b) in paragraph (e) for “to (de)” there is substituted “to (df) ”.

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**Commencement Information**

**I121** Sch. 9 para. 41 in force at 25.2.2013 for specified purposes by S.I. 2013/358, art. 2(1), Sch. 1 para. 23

**I122** Sch. 9 para. 41 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

- 42 In section 28(3) (correction of errors in decisions etc), after paragraph (h) (inserted by Schedule 2 to this Act) there is inserted “or
- (i) Part 4 of that Act.”

**Commencement Information**

**I123** Sch. 9 para. 42 in force at 25.2.2013 by S.I. 2013/358, art. 2(2), Sch. 2 para. 43

- 43 In Schedule 3 (decisions against which an appeal lies), in paragraph 3—
- (a) in paragraph (f), the final “or” is repealed;
- (b) after paragraph (g) there is inserted—
- “(h) regulations made under section 85(1) or 86(1) of the Welfare Reform Act 2012;
- (i) section 87 of that Act.”

**Commencement Information**

**I124** Sch. 9 para. 43 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

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

- 44 In section 115 of the Immigration and Asylum Act 1999 (exclusion from benefits)
- (a) in subsection (1), after “support allowance” there is inserted “or to personal independence payment”;
- (b) in subsection (2), at the beginning of paragraph (b) there is inserted “disability living allowance or”.

**Commencement Information**

**I125** Sch. 9 para. 44 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

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

- 45 The Social Security Fraud Act 2001 is amended as follows.

**Commencement Information**

**I126** Sch. 9 para. 45 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

- 46 In section 6A(1) (definitions)—
- (a) in the definition of “disqualifying benefit”, after paragraph (c) there is inserted—

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- “(ca) any benefit under Part 4 of the Welfare Reform Act 2012 (personal independence payment) or under any provision in Northern Ireland which corresponds to that Part;”;
- (b) in the definition of “sanctionable benefit”, after paragraph (c) there is inserted—
- “(ca) personal independence payment;”.

**Commencement Information**

**I127** Sch. 9 para. 46 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

47 In section 10 (power to supplement and mitigate loss of benefit provisions), in subsection (3), after paragraph (bd) (inserted by Schedule 2 to this Act) there is inserted—

- “(be) any benefit under Part 4 of the Welfare Reform Act 2012 (personal independence payment) or under any provision in Northern Ireland which corresponds to that Part;”.

**Commencement Information**

**I128** Sch. 9 para. 47 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

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

48 The Income Tax (Earnings and Pensions) Act 2003 is amended as follows.

**Commencement Information**

**I129** Sch. 9 para. 48 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

49 In section 677 (UK social security benefits wholly exempt from tax), in subsection (1), at the appropriate place in Part 1 of Table B there is inserted—

“Personal independence payment	WRA 2012	Section 77
		Any provision made for Northern Ireland which corresponds to section 77 of WRA 2012”

**Commencement Information**

**I130** Sch. 9 para. 49 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

50 In Part 1 of Schedule 1 (abbreviations of Acts), at the end there is inserted—

“WRA 2012	The Welfare Reform Act 2012”
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**Commencement Information**

**I131** Sch. 9 para. 50 in force at 8.4.2013 for specified purposes by S.I. 2013/358, art. 7(1)(2)(k), Sch. 3

SCHEDULE 10

Section 93

PERSONAL INDEPENDENCE PAYMENT: TRANSITIONAL

*General*

- 1 (1) Regulations under section 93 may in particular make provision for the purposes of, or in connection with, replacing disability living allowance with personal independence payment.
- (2) In this Schedule “the appointed day” means the day appointed for the coming into force of section 77.

**Commencement Information**

**I132** Sch. 10 para. 1 in force at 25.2.2013 by S.I. 2013/358, art. 2(2), Sch. 2 para. 44

*Claims before the appointed day*

- 2 (1) The provision referred to in paragraph 1(1) includes—
- (a) provision for a claim for personal independence payment to be made before the appointed day for a period beginning on or after that day;
  - (b) provision for a claim for personal independence payment made before the appointed day to be treated to any extent as a claim for disability living allowance;
  - (c) provision for a claim for disability living allowance made before the appointed day to be treated to any extent as a claim for personal independence payment.
- (2) The provision referred to in paragraph 1(1) includes provision, where a claim for personal independence payment is made (or treated as made) before the appointed day, for an award on the claim to be made in respect of a period before the appointed day (including provision as to the conditions of entitlement for, and the amount of, such an award).

**Commencement Information**

**I133** Sch. 10 para. 2 in force at 25.2.2013 by S.I. 2013/358, art. 2(2), Sch. 2 para. 44

*Claims after the appointed day*

- 3 (1) The provision referred to in paragraph 1(1) includes—
- (a) provision permanently or temporarily excluding the making of a claim for personal independence payment after the appointed day by—



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- (i) a person to whom disability living allowance is awarded, or
  - (ii) a person who would be entitled to an award of disability living allowance on making a claim for it;
  - (b) provision temporarily excluding the making of a claim for personal independence payment after the appointed day by any other person;
  - (c) provision excluding entitlement to personal independence payment temporarily or for a particular period;
  - (d) provision for a claim for personal independence payment made after the appointed day to be treated to any extent as a claim for disability living allowance;
  - (e) provision for a claim for disability living allowance made after the appointed day to be treated to any extent as a claim for personal independence payment.
- (2) The provision referred to in paragraph 1(1) includes provision, where a claim for personal independence payment is made (or treated as made) after the appointed day, for an award on the claim to be made in respect of a period before the appointed day (including provision as to the conditions of entitlement for, and the amount of, such an award).

#### Commencement Information

**I134** Sch. 10 para. 3 in force at 25.2.2013 by S.I. 2013/358, art. 2(2), Sch. 2 para. 44

#### Awards

- 4 (1) The provision referred to in paragraph 1(1) includes—
- (a) provision for terminating an award of disability living allowance;
  - (b) provision for making an award of personal independence payment, with or without application, to a person whose award of disability living allowance is terminated.
- (2) The provision referred to in sub-paragraph (1)(b) includes—
- (a) provision imposing requirements as to the procedure to be followed, information to be supplied or assessments to be undergone in relation to an award by virtue of that sub-paragraph or an application for such an award;
  - (b) provision as to the consequences of failure to comply with any such requirement;
  - (c) provision as to the terms on which, and conditions subject to which, such an award is made, including—
    - (i) provision temporarily or permanently disapplying, or otherwise modifying, conditions of entitlement to personal independence payment in relation to the award;
    - (ii) provision temporarily or permanently disapplying, or otherwise modifying, any requirement under this Part for a person to be assessed in respect of any of the questions mentioned in section 80(1) or (2);
  - (d) provision as to the amount of such an award.

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**Commencement Information**

**I135** Sch. 10 para. 4 in force at 25.2.2013 by S.I. 2013/358, art. 2(2), Sch. 2 para. 44

*Supplementary*

- 5 Regulations under section 93—
- (a) may secure the result that any gap in entitlement to disability living allowance is to be disregarded for the purposes of provision under the regulations;
  - (b) may make provision about cases in which provision made by regulations under section 80(2) (required period condition) is to apply with modifications;
  - (c) may, for the purposes of provision made by virtue of paragraph (b), provide for a period of entitlement to disability living allowance to be taken into account in determining whether a person meets “the required period condition” for the purposes of section 78(1) or (2) or 79(1) or (2).

**Commencement Information**

**I136** Sch. 10 para. 5 in force at 25.2.2013 by S.I. 2013/358, art. 2(2), Sch. 2 para. 44

SCHEDULE 11

Section 102

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.

**Commencement Information**

**I137** Sch. 11 para. 1 in force at 25.2.2013 for specified purposes by S.I. 2013/358, art. 2(1), Sch. 1 paras. 18, 24

- 2 (1) Section 4 (appeals to appeal tribunals) is amended as follows.
- (2) After subsection (1A) there is inserted—
- “(1B) If the claimant's address is not in Northern Ireland, regulations may provide that, in such cases or circumstances as may be prescribed, there is a right of appeal only if the Secretary of State has considered whether to reverse the decision under section 3A.
- (1C) The regulations may in particular provide that that condition is met only where—
- (a) the consideration by the Secretary of State was on an application,
  - (b) the Secretary of State considered issues of a specified description, or

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- (c) the consideration by the Secretary of State satisfied any other condition specified in the regulations.”
- (3) At the end of subsection (2) there is inserted—
- “(c) provision that, where in accordance with regulations under subsection (1B) there is no right of appeal against a decision, any purported appeal may be treated as an application to reverse the decision under section 3A.”

#### Commencement Information

**I138** Sch. 11 para. 2 in force at 25.2.2013 for specified purposes by S.I. 2013/358, art. 2(1), Sch. 1 paras. 18, 24

- 3 (1) Section 8 (regulations) is amended as follows.
- (2) In subsection (2)(a) the words from “which shall be” to “House of Parliament” are repealed.
- (3) After that subsection there is inserted—
- “(2A) A statutory instrument containing regulations made by the Secretary of State under this Act—
- (a) except in the case of an instrument containing regulations under section 4(1B), is subject to annulment in pursuance of a resolution of either House of Parliament;
- (b) in the case of an instrument containing regulations under section 4(1B), may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.”
- (4) At the end there is inserted—
- “(5) The power to make regulations under section 4(1B) may be exercised—
- (a) in relation to all cases to which it extends, in relation to those cases but subject to specified exceptions or in relation to any specified cases or classes of case;
- (b) so as to make, as respects the cases in relation to which it is exercised—
- (i) the full provision to which it extends or any lesser provision (whether by way of exception or otherwise);
- (ii) the same provision for all cases, different provision for different cases or classes of case or different provision as respects the same case or class of case but for different purposes of this Act;
- (iii) provision which is either unconditional or is subject to any specified condition.”

#### Commencement Information

**I139** Sch. 11 para. 3 in force at 25.2.2013 for specified purposes by S.I. 2013/358, art. 2(1), Sch. 1 paras. 18, 24

*Status: Point in time view as at 15/04/2013.*

*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)*

*Child Support Act 1991 (c. 48)*

4 The Child Support Act 1991 is amended as follows.

**Commencement Information**

**I140** Sch. 11 para. 4 in force at 25.2.2013 for specified purposes by S.I. 2013/358, art. 2(1), Sch. 1 paras. 18, 24

5 (1) Section 20 (appeals to First-tier Tribunal), as substituted by section 10 of the Child Support, Pensions and Social Security Act 2000 (and subsequently amended), is amended as follows.

(2) After subsection (2) there is inserted—

“(2A) Regulations may provide that, in such cases or circumstances as may be prescribed, there is a right of appeal against a decision mentioned in subsection (1)(a) or (b) only if the [<sup>F6</sup>Secretary of State] has considered whether to revise the decision under section 16.

(2B) The regulations may in particular provide that that condition is met only where—

- (a) the consideration by the [<sup>F6</sup>Secretary of State] was on an application,
- (b) the [<sup>F6</sup>Secretary of State] considered issues of a specified description, or
- (c) the consideration by the [<sup>F6</sup>Secretary of State] satisfied any other condition specified in the regulations.”

(3) At the end of subsection (4) there is inserted—

“(c) provision that, where in accordance with regulations under subsection (2A) there is no right of appeal against a decision, any purported appeal may be treated as an application for revision under section 16.”

**Textual Amendments**

**F6** Words in Sch. 11 para. 5(2) substituted (1.8.2012) by The Public Bodies (Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions) Order 2012 (S.I. 2012/2007), art. 1(2), Sch. para. 108(2)

**Commencement Information**

**I141** Sch. 11 para. 5 in force at 25.2.2013 for specified purposes by S.I. 2013/358, art. 2(1), Sch. 1 paras. 18, 24

6 (1) Section 20 (appeals to First-tier Tribunal), as it has effect apart from section 10 of the Child Support, Pensions and Social Security Act 2000, is amended as follows.

(2) After subsection (3) there is inserted—

“(3A) Regulations may provide that, in such cases or circumstances as may be prescribed, there is a right of appeal against a decision only if the [<sup>F7</sup>Secretary of State] has considered whether to revise the decision under section 16.

(3B) The regulations may in particular provide that that condition is met only where—

*Status: Point in time view as at 15/04/2013.*

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- (a) the consideration by the [<sup>F7</sup>Secretary of State] was on an application,
  - (b) the [<sup>F7</sup>Secretary of State] considered issues of a specified description, or
  - (c) the consideration by the [<sup>F7</sup>Secretary of State] satisfied any other condition specified in the regulations.”
- (3) At the end of subsection (5) there is inserted—
- “(c) provision that, where in accordance with regulations under subsection (3A) there is no right of appeal against a decision, any purported appeal may be treated as an application for revision under section 16.”

#### Textual Amendments

**F7** Words in [Sch. 11 para. 6\(2\)](#) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\)](#), art. 1(2), [Sch. para. 108\(3\)](#)

#### Commencement Information

**I142** [Sch. 11 para. 6](#) in force at 25.2.2013 for specified purposes by [S.I. 2013/358](#), art. 2(1), [Sch. 1 paras. 18, 24](#)

7 In section 51A (pilot schemes) at the end there is inserted—

- “(6) This section does not apply to regulations under—
- (a) subsection (2A) of section 20 as substituted by section 10 of the Child Support, Pensions and Social Security Act 2000;
- (b) subsection (3A) of section 20 as it has effect apart from section 10 of the Child Support, Pensions and Social Security Act 2000.”

#### Commencement Information

**I143** [Sch. 11 para. 7](#) in force at 25.2.2013 for specified purposes by [S.I. 2013/358](#), art. 2(1), [Sch. 1 paras. 18, 24](#)

8 In section 52 (regulations and orders), in subsection (2)(a), after “section 12(5)(b)),” there is inserted “20(2A), 20(3A)” .

#### Commencement Information

**I144** [Sch. 11 para. 8](#) in force at 25.2.2013 for specified purposes by [S.I. 2013/358](#), art. 2(1), [Sch. 1 paras. 18, 24](#)

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

9 The Social Security (Recovery of Benefits) Act 1997 is amended as follows.

#### Commencement Information

**I145** [Sch. 11 para. 9](#) in force at 25.2.2013 for specified purposes by [S.I. 2013/358](#), art. 2(1), [Sch. 1 paras. 18, 24](#)

10 (1) Section 11 (appeals against certificates) is amended as follows.

*Status: Point in time view as at 15/04/2013.*

*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)*

(2) After subsection (2) there is inserted—

“(2A) Regulations may provide that, in such cases or circumstances as may be prescribed, an appeal may be made under this section only if the Secretary of State has reviewed the certificate under section 10.

(2B) The regulations may in particular provide that that condition is met only where—

- (a) the review by the Secretary of State was on an application,
- (b) the Secretary of State considered issues of a specified description, or
- (c) the review by the Secretary of State satisfied any other condition specified in the regulations.”

(3) In subsection (5)(c) after “any such appeal“ there is inserted “(or, where in accordance with regulations under subsection (2A) there is no right of appeal, any purported appeal)”.

**Commencement Information**

**I146** [Sch. 11 para. 10](#) in force at 25.2.2013 for specified purposes by [S.I. 2013/358, art. 2\(1\)](#), [Sch. 1 paras. 18, 24](#)

11 (1) Section 30 of that Act (regulations and orders) is amended as follows.

(2) In subsection (2) after “regulations under section” there is inserted “ 11(2A) or ”.

(3) After that subsection there is inserted—

“(2A) A statutory instrument containing regulations under section 11(2A) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.”

**Commencement Information**

**I147** [Sch. 11 para. 11](#) in force at 25.2.2013 for specified purposes by [S.I. 2013/358, art. 2\(1\)](#), [Sch. 1 paras. 18, 24](#)

PROSPECTIVE

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

12 Schedule 7 to the Child Support, Pensions and Social Security Act 2000 is amended as follows.

13 (1) Paragraph 6 (housing benefit and council tax benefit: appeal to First-tier Tribunal) is amended as follows.

(2) In sub-paragraph (4), after paragraph (b) there is inserted—

“or where regulations under sub-paragraph (5A) so provide.”

(3) After sub-paragraph (5) there is inserted—

*Status: Point in time view as at 15/04/2013.*

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“(5A) Regulations may provide that, in such cases or circumstances as may be prescribed, there is a right of appeal in relation to a decision only if the relevant authority which made the decision has considered whether to revise the decision under paragraph 3.

(5B) The regulations may in particular provide that that condition is met only where—

- (a) the consideration by the relevant authority was on an application,
- (b) the relevant authority considered issues of a specified description, or
- (c) the consideration by the relevant authority satisfied any other condition specified in the regulations.”

(4) In sub-paragraph (8)—

- (a) the words from “make provision” to the end become paragraph (a);
- (b) after that paragraph there is inserted—

“(b) provide that, where in accordance with regulations under sub-paragraph (5A) there is no right of appeal against a decision, any purported appeal may be treated as an application for revision under paragraph 3.”

14 In paragraph 20(4) (regulations subject to affirmative procedure) for “or (4)” there is substituted “, (4) or (5A) ”.

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

15 The Child Maintenance and Other Payments Act 2008 is amended as follows.

**Commencement Information**

**I148** Sch. 11 para. 15 in force at 25.2.2013 for specified purposes by S.I. 2013/358, art. 2(1), Sch. 1 paras. 18, 24

16 In section 49(2) (regulations regarding reconsideration) after “and” there is inserted “ may prescribe ”.

**Commencement Information**

**I149** Sch. 11 para. 16 in force at 25.2.2013 for specified purposes by S.I. 2013/358, art. 2(1), Sch. 1 paras. 18, 24

17 (1) Section 50 (appeals to First-tier Tribunal) is amended as follows.

(2) After subsection (1) there is inserted—

“(1A) Regulations may provide that, in such cases or circumstances as may be prescribed, a person may appeal against a determination made on a claim only if the Secretary of State has decided whether to reconsider the determination under section 49.

(1B) The regulations may in particular provide that that condition is met only where—

- (a) the decision of the Secretary of State was on an application,



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- (b) the Secretary of State considered issues of a specified description, or
  - (c) the decision of the Secretary of State satisfied any other condition specified in the regulations.”
- (3) In subsection (4)(c) after “an appeal under subsection (1)(a)” there is inserted “ (or, where in accordance with regulations under subsection (1A) there is no right of appeal, any purported appeal) ”.

**Commencement Information**

**I150** Sch. 11 para. 17 in force at 25.2.2013 for specified purposes by S.I. 2013/358, art. 2(1), Sch. 1 paras. 18, 24

- 18 (1) Section 53 (regulations under Part 4) is amended as follows.
- (2) After subsection (2) there is inserted—
- “(2A) The power to make regulations under section 50(1A) may be exercised—
- (a) in relation to all cases to which it extends, in relation to those cases but subject to specified exceptions or in relation to any specified cases or classes of case;
  - (b) so as to make, as respects the cases in relation to which it is exercised—
    - (i) the full provision to which it extends or any lesser provision (whether by way of exception or otherwise);
    - (ii) the same provision for all cases, different provision for different cases or classes of case or different provision as respects the same case or class of case but for different purposes of this Act;
    - (iii) provision which is either unconditional or is subject to any specified condition.”
- (3) In subsection (3) after “section 46” there is inserted “ or 50(1A) ”.

**Commencement Information**

**I151** Sch. 11 para. 18 in force at 25.2.2013 for specified purposes by S.I. 2013/358, art. 2(1), Sch. 1 paras. 18, 24

SCHEDULE 12

Section 103

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 follows.
- (2) In subsection (1)—



*Status: Point in time view as at 15/04/2013.*

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- (a) in paragraphs (b) and (d) after “any decision of” there is inserted “ an appeal tribunal or ”;
      - (b) in paragraph (e) after “any decision of“ there is inserted “a Child Support Commissioner or”.
    - (3) After subsection (5) there is inserted—
      - “(6) In this section—
        - “appeal tribunal” means an appeal tribunal constituted under Chapter 1 of Part 1 of the Social Security Act 1998 (the functions of which have been transferred to the First-tier Tribunal);
        - “Child Support Commissioner” means a person appointed as such under section 22 (the functions of whom have been transferred to the Upper Tribunal).”
  - 3
    - (1) In Schedule 4C (departure directions), paragraph 2 is amended as follows.
    - (2) In sub-paragraph (1)(c), after “any decision of” there is inserted “ an appeal tribunal or ”.
    - (3) In sub-paragraph (2), after “any decision of“ (in each place) there is inserted “an appeal tribunal or”.
    - (4) After sub-paragraph (2) there is inserted—
      - “(3) In this paragraph “appeal tribunal“ means an appeal tribunal constituted under Chapter 1 of Part 1 of the Social Security Act 1998 (the functions of which have been transferred to the First-tier Tribunal).”
- Social Security Act 1998 (c. 14)*
- 4
    - (1) Section 10 of the Social Security Act 1998 (decisions superseding earlier decisions) is amended as follows.
    - (2) In subsection (1), the “and” at the end of paragraph (a) is repealed and after that paragraph there is inserted—
      - “(aa) any decision under this Chapter of an appeal tribunal or a Commissioner; and”.
    - (3) After subsection (6) there is inserted—
      - “(7) In this section—
        - “appeal tribunal” means an appeal tribunal constituted under Chapter 1 of this Part (the functions of which have been transferred to the First-tier Tribunal);
        - “Commissioner” means a person appointed as a Social Security Commissioner under Schedule 4 (the functions of whom have been transferred to the Upper Tribunal), and includes a tribunal of such persons.”
- Child Support, Pensions and Social Security Act 2000 (c. 19)*
- 5
    - (1) In Schedule 7 to the Child Support, Pensions and Social Security Act 2000 (housing benefit and council tax benefit), paragraph 4 (decisions superseding earlier decisions) is amended as follows.

*Status: Point in time view as at 15/04/2013.*

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- (2) In sub-paragraph (1), the “and” at the end of paragraph (a) is repealed and after that paragraph there is inserted—
- “(aa) any decision under this Schedule of an appeal tribunal or a Commissioner, and”.
- (3) In sub-paragraph (2)—
- (a) after “the decision appealed against to” there is inserted “the tribunal or”;
- (b) after “the decision being appealed against to” there is inserted “ the Commissioner or ”.
- (4) After sub-paragraph (6) there is inserted—
- “(7) In this paragraph—
- “appeal tribunal” means an appeal tribunal constituted under Chapter 1 of Part 1 of the Social Security Act 1998 (the functions of which have been transferred to the First-tier Tribunal);
- “Commissioner” means a person appointed as a Social Security Commissioner under Schedule 4 to that Act (the functions of whom have been transferred to the Upper Tribunal), and includes a tribunal of such persons.”

## SCHEDULE 13

Section 145

### 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 substituted—

*“Social Mobility and Child Poverty Commission*

#### **8 Social Mobility and Child Poverty Commission**

- (1) There is to be a body called the Social Mobility and Child Poverty Commission (in this Act referred to as “the Commission”).
- (2) The Commission's functions are those conferred on it by or under this Act.
- (3) Schedule 1 contains further provision about the Commission.
- (4) A Minister of the Crown may by order provide for the Commission to cease to exist on a day—
- (a) specified in or determined in accordance with the order, and
- (b) falling after the target year.

*Status: Point in time view as at 15/04/2013.*

*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)*

- (5) An order under subsection (4) may contain such transitional or consequential provision as the Minister of the Crown considers necessary or expedient in connection with the abolition of the Commission.
- (6) That provision may include provision amending, repealing or revoking—
  - (a) the provisions of this Act so far as relating to the Commission;
  - (b) any provision of any other Act (whenever passed);
  - (c) any provision of any instrument made under an Act (whenever made).

### **8A Advice**

- (1) The Commission must on request give advice to a Minister of the Crown about how to measure socio-economic disadvantage, social mobility and child poverty.
- (2) Advice given under this section must be published.

### **8B Annual reports**

- (1) Before each anniversary of the coming into force of this section the Commission must publish a report setting out its views on the progress made towards the goals in subsection (2).
- (2) Those goals are—
  - (a) improving social mobility in the United Kingdom, and
  - (b) reducing child poverty in the United Kingdom, and in particular—
    - (i) meeting the targets in sections 3 to 6 in relation to the target year, and
    - (ii) implementing the most recent UK strategy.
- (3) A report under subsection (1) must also describe—
  - (a) the measures taken by the Scottish Ministers in accordance with a Scottish strategy,
  - (b) the measures taken by the Welsh Ministers in accordance with a Welsh strategy, and
  - (c) in the case of a report made after the appointed day for Northern Ireland, the measures taken by the Northern Ireland departments in accordance with a Northern Ireland strategy.
- (4) A report under subsection (1) may be published as one or more documents as a Minister of the Crown may direct.
- (5) If the Commission so requests, a Minister of the Crown may by order extend the publication deadline for any particular report by not more than nine months.
- (6) A Minister of the Crown must lay a report under this section before Parliament.

*Status: Point in time view as at 15/04/2013.*

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### 8C Other functions

A Minister of the Crown may direct the Commission to carry out any other activity relating to the goals in section 8B(2).”

3 For Schedule 1 (Child Poverty Commission) there is substituted—

#### “SCHEDULE 1

#### SOCIAL MOBILITY AND CHILD POVERTY COMMISSION

##### *Membership, chair and deputy chair*

- 1 (1) The members of the Commission are to be—
  - (a) a chair appointed by a Minister of the Crown,
  - (b) a member appointed by the Scottish Ministers,
  - (c) a member appointed by the Welsh Ministers,
  - (d) after the appointed day for Northern Ireland, a member appointed by the relevant Northern Ireland department, and
  - (e) any other members appointed by a Minister of the Crown.
- (2) A Minister of the Crown may appoint one of the members as the deputy chair.

##### *Term of office*

- 2 Members are to hold and vacate office in accordance with the terms of their appointment, subject to the following provisions.
- 3 Members must be appointed for a term of not more than five years.
- 4 A member may resign by giving notice in writing to a Minister of the Crown.
- 5 A Minister of the Crown may remove a member if—
  - (a) the person has been absent from three or more consecutive meetings of the Commission without its permission,
  - (b) the person has become bankrupt or has made an arrangement with creditors,
  - (c) the person's estate has been sequestrated in Scotland or the person, under Scots law, has made a composition or arrangement with, or granted a trust deed for, creditors, or
  - (d) the Minister is satisfied that the person is otherwise unable or unfit to perform the duties of the office.
- 6 A person ceases to be the chair or the deputy chair if the person—
  - (a) resigns that office by giving notice in writing to a Minister of the Crown, or
  - (b) ceases to be a member.
- 7 A person who holds or has held office as the chair, or as the deputy chair or other member, may be reappointed, whether or not to the same office.

*Status: Point in time view as at 15/04/2013.*

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*Provision of staff and facilities etc*

- 8 (1) A Minister of the Crown may provide the Commission with—
- (a) such staff,
  - (b) such accommodation, equipment and other facilities, and
  - (c) such sums,
- as the Minister may determine are required by the Commission in the exercise of its functions.
- (2) A Minister of the Crown may, if the Commission so requests, carry out or commission research for the purpose of the carrying out of the Commission's functions.

*Payments*

- 9 A Minister of the Crown may pay to or in respect of the members of the Commission such remuneration, allowances and expenses as the Minister may determine.

*Supplementary powers*

- 10 The Commission may do anything that appears to it necessary or appropriate for the purpose of, or in connection with, the carrying out of its functions.

*Status*

- 11 The Commission is not to be regarded—
- (a) as the servant or agent of the Crown, or
  - (b) as enjoying any status, privilege or immunity of the Crown.

*Sub-committees*

- 12 The Commission may establish sub-committees.

*Validity of proceedings*

- 13 The Commission may regulate—
- (a) its own procedure (including quorum);
  - (b) the procedure of any sub-committee (including quorum).
- 14 The validity of anything done by the Commission or any sub-committee is not affected by—
- (a) any vacancy in the membership of the Commission or sub-committee, or
  - (b) any defect in the appointment of any member of the Commission or a sub-committee.

*Discharge of functions*

- 15 The Commission may authorise a sub-committee or member to exercise any of the Commission's functions.”

*Status: Point in time view as at 15/04/2013.*

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## 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 preceding “and” are repealed.
- 6 In section 10 (provision of advice and consultation)—
- (a) for the heading, there is substituted “ Consultation ”;
  - (b) subsections (1) to (3) are repealed.
- 7 In section 13 (advice and consultation: Scotland and Northern Ireland)—
- (a) for the heading there is substituted “ Consultation: Scotland and Northern Ireland ”;
  - (b) subsections (1) and (2) are repealed.
- 8 (1) In the italic heading preceding section 14, for “Reports” there is substituted “ Statement ”.
- (2) Section 14 is repealed.
- 9 (1) Section 15 (statement in relation to target year) is amended as follows.
- (2) In subsection (1), for “The report under section 14(3) must include” there is substituted “ The Secretary of State must, as soon as reasonably practicable after the end of the target year, lay before Parliament ”.
  - (3) In subsection (4), for “the report under section 14(3)” there is substituted “ the statement ”.
  - (4) At the end there is inserted—
    - “(5) The Secretary of State must consult the Scottish Ministers, the Welsh Ministers and the relevant Northern Ireland department before preparing the statement.”
- 10 In section 16 (economic and fiscal circumstances), in subsection (1)(b), for the words from “to the Secretary of State” to the end there is substituted “ under section 8A ”.
- 11 (1) Section 18 (interpretation) is amended as follows.
- (2) In the definition of “the Commission” in subsection (1), for “Child Poverty Commission” there is substituted “ Social Mobility and Child Poverty Commission ”.
  - (3) After the definition of “financial year” in that subsection there is inserted—
    - ““Minister of the Crown” has the same meaning as in the Ministers of the Crown Act 1975;”.
  - (4) After subsection (2) there is inserted—
    - “(3) In this Part “appointed day for Northern Ireland” means such day as a Minister of the Crown may by order with the consent of the Northern Ireland Assembly appoint (and different days may be appointed for the purposes of different provisions of this Part).”

*Status: Point in time view as at 15/04/2013.*

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- 12 In section 28 (regulations and orders), in subsection (5)(b), after “section” there is inserted “ 8B(5) or ”.
- 13 (1) Schedule 2 (continuing effect of targets) is amended as follows.
- (2) In paragraph 1, in paragraph (a) of the definition of “target statement”, for “the report required by section 14(3)” there is substituted “ the statement required by section 15 ”.
- (3) In paragraph 3(d), for “the Secretary of State”, in the first place, there is substituted “ the Commission ”.
- (4) Paragraphs 6(c) and (d) and 7(1)(b) are repealed.

### PART 3

#### SUPPLEMENTARY AMENDMENTS TO OTHER ACTS

- 14 In Schedule 1 to the Public Records Act 1958 (definition of public records), in Part 2 of the Table at the end of paragraph 3—
- (a) the entry relating to the Child Poverty Commission is repealed;
- (b) at the appropriate place there is inserted— “ Social Mobility and Child Poverty Commission ”.
- 15 In Schedule 2 to the Parliamentary Commissioner Act 1967 (departments etc subject to investigation)—
- (a) the entry relating to the Child Poverty Commission is repealed;
- (b) at the appropriate place there is inserted— “ Social Mobility and Child Poverty Commission ”.
- 16 (1) In Part 2 of Schedule 1 to the House of Commons Disqualification Act 1975 (bodies of which all members are disqualified)—
- (a) the entry relating to the Child Poverty Commission is repealed;
- (b) at the appropriate place there is inserted— “ The Social Mobility and Child Poverty Commission ”.
- (2) In Part 2 of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975 (bodies of which all members are disqualified)—
- (a) the entry relating to the Child Poverty Commission is repealed;
- (b) at the appropriate place there is inserted— “ The Social Mobility and Child Poverty Commission ”.
- 17 In Part 6 of Schedule 1 to the Freedom of Information Act 2000 (other public bodies and offices: general)—
- (a) the entry relating to the Child Poverty Commission is repealed;
- (b) at the appropriate place there is inserted— “ The Social Mobility and Child Poverty Commission ”.

*Status: Point in time view as at 15/04/2013.*

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## SCHEDULE 14

Section 147

## REPEALS

## PART 1

## ABOLITION OF BENEFITS SUPERSEDED BY UNIVERSAL CREDIT

**Commencement Information**

**I152** Sch. 14 Pt. 1 in force at 1.4.2013 for specified purposes by [S.I. 2013/358](#), [art. 8\(c\)](#), [Sch. 4](#) (with [arts. 9, 10](#), [Sch. 5](#))

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Social Work (Scotland) Act 1968 (c. 49)	In section 78(2A), the words from “income support” to “or family credit”.
Education (Scotland) Act 1980 (c. 44)	In section 53(3)— <ul style="list-style-type: none"> <li>(a) in paragraph (a), sub-paragraphs (i) to (iia) and, in sub-paragraph (iv), the words from “or any tax credit” to “2002 (c. 21)”;</li> <li>(b) in paragraph (b), sub-paragraphs (i) to (iia) and, in sub-paragraph (iii), the words from “or any tax credit” to “2002 (c. 21)”.</li> </ul>
Legal Aid (Scotland) Act 1986 (c. 47)	In sections 8(b) and 11(2)(b), the words from “income support” to the end.
Children Act 1989 (c. 41)	In section 17— <ul style="list-style-type: none"> <li>(a) in subsection (9), the words from “of income support” to the end;</li> <li>(b) subsection (12).</li> </ul> <p>In section 17A(5)(b), the words from of “income support” to the end.</p> <p>In section 29(3) and (3A), the words from “of income support” to the end.</p> <p>In section 105(1), the definitions of— <ul style="list-style-type: none"> <li>(a) “income-based jobseeker’s allowance”;</li> <li>(b) “income-related employment and support allowance”.</li> </ul> </p> <p>In Schedule 2, in paragraph 21(4), the words from “income support” to the end.</p>
Child Support Act 1991 (c. 48)	In section 54(1), the definitions of— <ul style="list-style-type: none"> <li>(a) “income support”;</li> <li>(b) “income-based jobseeker’s allowance”;</li> <li>(c) “income-related employment and support allowance”.</li> </ul> <p>In paragraph 5(4) of Schedule 1, as it has effect apart from section 1 of the Child Support, Pensions and</p>



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- Social Security Act 2000, the words from “income support” to “support allowance”.
- Social Security Contributions and Benefits Act 1992 (c. 4)
- In sections 4C(2)(b), (5)(c) and (7)(a), “contribution-based”.
- In section 22—
- (a) in subsections (2)(a) and (5), “contribution-based”;
  - (b) subsection (8).
- In section 44A(7), “contributory”.
- In section 122(1), the definition of “contribution-based jobseeker's allowance”.
- Sections 123 to 137.
- Section 175(6).
- In Schedule 3, in paragraph 5(6B), “or 4(2)(b)”.
- Social Security Administration Act 1992 (c. 5)
- Section 1(4)(b).
- Sections 2A to 2H.
- In section 5—
- (a) subsection (2)(b) and (e);
  - (b) in subsection (6), “or housing benefit”.
- Section 6.
- In section 7—
- (a) in the heading, the words “community charge benefits and other”;
  - (b) subsection (2), so far as not otherwise repealed;
  - (c) subsection (3)(b) and the preceding “and”.
- Section 7A(1) to (5).
- In section 15A—
- (a) in subsection (1)(a), the words from “income support” to “employment and support allowance”;
  - (b) in subsection (1)(b), the words from “or the applicable” to “employment and support allowance”;
  - (c) in subsection (1), in the words after paragraph (b), the words from “or applicable” to “employment and support allowance”;
  - (d) in subsection (4), in the definition of “qualifying associate”, “income support, an income-based jobseeker's allowance,” “or an income-related employment and support allowance,” “Part VII of the Contributions and Benefits Act or”, “under the Jobseekers Act 1995,” and “or Part 1 of the Welfare Reform Act 2007”;
  - (e) in subsection (4), in the definition of “relevant benefits”, paragraph (b).

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Section 71(11)(b).

Section 71ZH(1)(c) and (d) (as inserted by section 105 of this Act).

Section 71A.

In section 73(1) and (4)(b), “contribution-based”.

In section 74—

- (a) in subsection (1)(b), “income support, an income-based jobseeker's allowance” and “or an income-related employment and support allowance”;
- (b) in subsection (2)(b), “income support, an income-based jobseeker's allowance,” and “or an income-related employment and support allowance”;
- (c) subsection (3);
- (d) in subsection (4), “or (3)” and paragraph (b) and the preceding “and”.

In section 74A(7), the words from “income support” to “employment and support allowance”.

Section 75 (and the preceding cross-heading).

Sections 76 and 77.

In section 78(6)(d), “income support or an income-based jobseeker's allowance”.

In the heading to Part V, “Income support and”.

In section 105—

- (a) in subsection (1)(b), the words from “income support” to “support allowance”;
- (b) subsection (3)(b) and the preceding “or”;
- (c) subsection (4).

In section 106(1), (2), (3) and (4)(a), “income support or”.

In section 108(1)(a), “income support or”.

In section 109(1), “or income support or an income-related employment and support allowance”, in both places.

In section 109A—

- (a) subsection (3)(b) to (d);
- (b) subsections (6) and (7).

Sections 110A and 110AA.

In section 111—

- (a) in subsection (1)(ab), “or 110AA”;
- (b) in subsection (3), “or 110A”.

In section 115A—

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*Status: Point in time view as at 15/04/2013.*

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- (a) in subsection (1), “or an authority”, “71A, 75 or 76” and “or authority”;
- (b) in subsection (1A) (as inserted by section 113 of this Act), “or an authority” in both places and “71A, 75 or 76”;
- (c) in subsection (2), “or authority”, in both places;
- (d) in subsection (5), “or authority”, in both places;
- (e) subsections (7A) and (7B).

In section 115B—

- (a) in subsection (1), “or an authority that administers housing benefit or council tax benefit”;
- (b) in subsection (3), “or authority”, in both places;
- (c) in subsection (4)(a) (as substituted by section 102 of this Act), “or authority”;
- (d) in subsection (4A) (as so substituted), the words from “(and, where” to the end;
- (e) in subsection (6), “or authority”, in both places.

In section 115C (as inserted by section 116 of this Act)—

- (a) in subsection (5), the words from “(and, where” to the end;
- (b) in subsection (6), in the definition of “appropriate authority”, paragraph (b) and the preceding “or”.

In section 115D(5) (as inserted by section 116 of this Act), the words from “(and, where” to the end.

In section 116—

- (a) in subsection (2)(a), “(other than proceedings to which paragraph (b) applies)” (as substituted by section 111 (a) of this Act);
- (b) subsection (2)(b) and the preceding “and”;
- (c) subsection (3)(b) and the preceding “and”;
- (d) subsections (4) and (5).

Section 116A.

Section 121DA(6).

Sections 122C to 122E.

In section 122F, in subsection (3)(a) and (4), “housing benefit”.

Section 124(2)(b).

In section 126(1)—

- (a) “income support, an income-based jobseeker's allowance”;
- (b) “an income-related employment and support allowance”.

Section 128A (and the preceding cross-heading).

Section 134.

*Status: Point in time view as at 15/04/2013.*

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Sections 138 to 140G.

In section 150—

- (a) subsection (1)(h);
- (b) in subsection (1)(m) “or 4(2)(a) or (6)(c)”;
- (c) in subsection (7), “Part VII of the Contributions and Benefits Act or” and the words from “or which“ to the end;
- (d) subsection (10)(b)(i) and (ii).

Section 151(6).

Section 159.

In section 159B—

- (a) in subsection (1)(b)(iii), “contribution-based”;
- (b) in subsection (6), in the definitions of “alteration” and “component”, “contribution-based“.

In section 159D (as inserted by Schedule 2 to this Act)—

- (a) in subsection (1)(b)(iv), “contribution-based”;
- (b) in subsection (6), in the definitions of “alteration” and “component”, “contribution-based“.

Sections 160 and 160A.

In section 160B(5), “or 4(2)(a)“.

Section 163(2)(d).

In section 166—

- (a) in subsections (1)(c) and (2)(b), “relating to a contribution-based jobseeker's allowance”;
- (b) in subsection (2)(ba), “relating to a contributory employment and support allowance”.

In section 170(5), in the definition of “the relevant enactments”, paragraph (aj).

Section 176(1)(a) and (b).

Section 179(4)(b)(i) and (5)(a) and (d).

Section 182A(3)(c).

Section 182B(2).

Section 187(1)(b).

In section 189—

- (a) subsections (7) and (7A);
- (b) in subsection (8), “140B, 140C”.

Section 190(1)(aa) and (ab).

In section 191, the definitions of—

- (a) “billing authority“;
- (b) “contribution-based jobseeker's allowance”;

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- (c) “contributory employment and support allowance”;
- (d) “council tax benefit scheme”;
- (e) “housing authority”;
- (f) “housing benefit scheme”;
- (g) “income-based jobseeker’s allowance”;
- (h) “income-related benefit”;
- (i) “income-related employment and support allowance”;
- (j) “rent rebate” and “rent allowance”.

In Schedule 4, the paragraphs headed “Local authorities etc”.

Local Government Finance Act 1992 (c. 14) In Schedule 4—

- (a) in paragraph 6(1) and (2)(b), “income support”.
- (b) paragraph 12(1)(b);
- (c) in paragraph 12(1)(d), “deductions from income support”.

In Schedule 8, in paragraph 6(1) and (2)(b), “income support”.

In Schedule 9, paragraphs 1 to 13, 15 to 17, 19 to 24 and 25(a) and (c).

Jobseekers Act 1995 (c. 18)

Section 1(2A) to (2D) and (4).

In section 2—

- (a) subsection (1)(d) and the preceding “and”;
- (b) in subsection (3C)(d), “contribution-based”;
- (c) subsection (3C)(e) and the preceding “and”.

Sections 3 to 3B.

In section 4—

- (a) in subsection (1), “contribution-based”;
- (b) subsections (3), (3A) and (6) to (11A).

Section 4A.

In section 5—

- (a) in the heading and in subsection (1), “contribution-based”;
- (b) in subsection (2), “contribution-based”, in the first two places;
- (c) in subsection (3), “contribution-based”.

Section 13.

Sections 15 to 17.

In section 17A(10), the definition of “claimant”.

Section 18.

Section 23.

Sections 25 and 26.

Section 28.

*Status: Point in time view as at 15/04/2013.*

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### Section 31.

In section 35(1)—

- (a) in the definition of “claimant”, the words from “except” to the end;
- (b) the definitions of “contribution-based jobseeker's allowance”, “income-based conditions”, “income-based jobseeker's allowance”, “income-related employment and support allowance”, “joint claim couple” and “joint-claim jobseeker's allowance” and “the nominated member”.

In section 38—

- (a) in subsections (3) and (4), “contribution-based”;
- (b) subsection (6).

### Section 40.

In Schedule 1—

- (a) in paragraph 6(1), “contribution-based”;
- (b) paragraphs 8 and 8A;
- (c) paragraphs 9 to 10;
- (d) in paragraph 11(1), “contribution-based”;
- (e) in paragraph 16(1) and (2)(d), “contribution-based”;
- (f) paragraph 18(b) and (c).

In Schedule 2, paragraphs 29 to 35, 53(4) and 73(3) and (4).

Children (Scotland) Act 1995 (c. 36) Section 22(4)(a) to (c).

Housing Act 1996 (c. 52)

In section 122—

- (a) in the heading and in subsection (1) “housing benefit and rent allowance subsidy”;
- (b) subsections (2) to (7).

Schedule 12.

In Schedule 13, paragraph 3(3) to (6).

Education Act 1996 (c. 56)

In section 457(4)—

- (a) sub-paragraphs (i) to (iia);
- (b) in sub-paragraph (iii), the words from “or entitled” to “such a tax credit”.

In section 512ZB(4)—

- (a) paragraph (a)(i) to (iia);
- (b) paragraph (aa)(ii);
- (c) paragraph (b)(i) to (iia);
- (d) paragraph (c)(ii) and the preceding “or”.

In section 579(1), the definition of “income-related employment and support allowance”.

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

of In Schedule 2, in the second column of the table, the reference to income support.

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Social Security Administration (Fraud) Act 1997 (c. 47)	Section 3. Section 4(1). Section 5. Sections 8 to 10. Section 16. In Schedule 1, paragraphs 3 and 7.
Social Security Act 1998 (c. 14)	Section 8(3)(c). In section 8(5), the words from “other than” to the end. Section 34. In section 39(1), the definition of “claimant”. Section 79(8). In Schedule 2— (a) paragraph 1 (and the preceding heading); (b) paragraph 5A (and the preceding heading); (c) paragraph 6(b)(i); (d) paragraph 7 (and the preceding heading). In Schedule 3, in paragraph 5, “or 71A”. In Schedule 7, paragraphs 95, 97, 98, 139, 140 and 146.
Audit Commission Act 1998 (c. 18)	Sections 38 and 39. Section 50. In Schedule 1, paragraph 8(2)(b). In Schedule 2A, in paragraph 3— (a) in the definition of “national studies functions”, paragraph (d); (b) in the definition of “reporting functions”, paragraph (a); (c) the definition of “section 139A inspector”. In Schedule 3, paragraph 23.
Scotland Act 1998 (c. 46)	In Part 2 of Schedule 5, in Section F1, under the heading “Illustrations”, “administration and funding of housing benefit and council tax benefit;”.
Access to Justice Act 1999 (c. 22)	In Schedule 4, paragraph 48.
Local Government Act 1999 (c. 27)	Section 13A(4A). Section 14. Section 29(2A).
Welfare Reform and Pensions Act 1999 (c. 30)	Sections 57 and 58. Section 72(3)(a). In Schedule 7, paragraphs 2(3) and (4), 4, 5(3) and (4), 6, 9 to 11, 15 and 16.

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In Schedule 8, paragraphs 28 and 29(2), (4), (5) and (7).

In Schedule 12, paragraphs 79, 80, 82, 83 and 87.

Immigration and Asylum Act 1999 Section 97(5)(a).  
(c. 33)

In section 115(1)—

- (a) “to income-based jobseeker's allowance under the Jobseekers Act 1995 or”;
- (b) the words from “or to income-related” to “support allowance”;
- (c) paragraphs (e), (j) and (k).

Child Support, Pensions and Social Security Act 2000 (c. 19) Section 68.

Section 71.

In Schedule 6, paragraph 3.

Schedule 7.

Local Government Act 2000 (c. 22) Section 96.

Capital Allowances Act 2001 (c. 2)

In Schedule A1, in paragraph 17(1)—

- (a) in paragraph (a), the words from “disregarding any” to “working tax credit”;
- (b) in paragraph (b), “child tax credit or working tax credit”.

Social Security Fraud Act 2001 (c. 11) Section 1(5).

Section 2(2).

Section 6.

In section 6A(1), in the definition of “sanctionable benefit”, paragraph (a).

In section 6B—

- (a) in subsection (2)(b)(i), “or an authority which administers housing benefit or council tax benefit”;
- (b) subsections (6), (7), (9) and (10).

In section 7—

- (a) subsections (3), (4), (4B) and (5);
- (b) in subsection (10), “8 or”.

Section 8.

In section 9—

- (a) subsection (1)(a), (b), (bc), (c) and (d);
- (b) subsections (3), (4), (4B) and (5).

In section 10(2), “8”.

In section 11(3)—

- (a) paragraph (b);
- (b) paragraph (d).

In section 13, the definitions of—



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- (a) “income-based jobseeker's allowance”, “joint-claim jobseeker's allowance” and “joint-claim couple”;
- (b) “income-related allowance”.

Section 14.

State Pension Credit Act 2002 (c. 16) Section 15(1)(b).

In section 17(1), the definition of “working tax credit”.

Section 18A(7)(c) and the preceding “or”.

In Schedule 2, paragraphs 2 to 4 and 36 to 38.

Tax Credits Act 2002 (c. 21)

Part 1 (but not Schedule 1 or 3).

Employment Act 2002 (c. 22)

Section 49.

In Schedule 6, paragraphs 2 and 3.

In Schedule 7, paragraphs 9, 10, 12(a), 15 and 51.

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

In Schedule 6, paragraphs 179 and 228 to 230.

Local Government Act 2003 (c. 26)

In Schedule 7, paragraphs 34 to 39.

Public Audit (Wales) Act 2004 (c. 23)

In Schedule 2, paragraph 15.

Civil Partnership Act 2004 (c. 33)

In Schedule 24, paragraphs 42 to 46, 55, 118 to 122 and 144 to 147.

Pensions Act 2004 (c. 35)

In Schedule 10, paragraph 3.

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

Section 5(1)(c) and the preceding “and”.

Section 44(3)(d) and the preceding “and”.

Section 54(4)(f) and the preceding “and”.

In Schedule 1, paragraphs 4 and 31.

Education Act 2005 (c. 18)

In section 108(1)(a), “or tax credits”.

In section 110—

(a) subsection (1);

(b) in subsection (3), “(1) or”.

Childcare Act 2006 (c. 21)

In section 13A—

(a) subsection (1);

(b) in subsection (3), “(1) or”.

Welfare Reform Act 2007 (c. 5)

In section 1—

(a) in subsection (2), in the opening words, “either”;

(b) in subsection (2)(a), “Part 1 of” and “that Part of”;

(c) subsection (2)(b) and the preceding “or”;

(d) subsection (3)(e);

(e) in subsection (3)(f), the words from “(and” to “allowance”;

(f) in subsection (3A), “Part 1 of”;

(g) in subsection (6), the definition of “joint-claim jobseeker's allowance”;

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(h) subsections (6A) and (7).

In section 1A—

- (a) in the heading, “contributory”;
- (b) in subsections (1) (in both places), (3) and (4), “Part 1 of”.

Section 1B (2).

In section 2, in the heading, “contributory”.

In section 3, in the heading, “contributory”.

Sections 4 to 6.

Section 23.

In section 24(1), the definitions of “contributory allowance”, “income-related allowance” and “income support”.

In section 26(1)(a), “or 4(4)(c) or (5)(c)”.

Section 27(2)(a) and (4).

Section 29.

Sections 30 to 34.

Sections 37 to 39.

Section 41(2)(a) to (d) and (3).

Sections 46 and 47.

Section 48(1) to (3).

In Schedule 1—

- (a) the heading to Part 1;
- (b) paragraph 1(5)(e) and the preceding “and”;
- (c) Part 2.

In Schedule 2—

- (a) in the headings to paragraphs 6 and 7, “Contributory allowance:”;
- (b) paragraph 8;
- (c) paragraph 11(b) and (c);
- (d) paragraph 12, so far as not otherwise repealed.

In Schedule 3, paragraphs 1, 2, 4, 9(9) and (10), 10(3), (8)(b), (15) and (32)(b) and (c) and 12(3) and (4).

Schedule 4.

In Schedule 5, paragraphs 1, 3 to 9, 12 and 13.

In Schedule 7, paragraph 3(2).

Tribunals, Courts and Enforcement Act 2007 (c. 15) In Schedule 13, paragraph 103.

Pensions Act 2007 (c. 22) In Schedule 1, paragraph 25.

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Local Government and Public Involvement in Health Act 2007 (c. 28)	Section 147(2). Section 148(1)(b). Section 150.
Child Maintenance and Other Payments Act 2008 (c. 6)	Section 45(2). In Schedule 7, paragraph 2(2).
Corporation Tax Act 2009 (c. 4)	In section 1059— (a) subsection (3); (b) in subsection (5), “child tax credit or working tax credit”.  In section 1108— (a) subsection (3); (b) in subsection (5), “child tax credit or working tax credit”.
Welfare Reform Act 2009 (c. 24)	Section 2. Section 3(1) and (2). Sections 4 and 5. Section 8(2)(a). Section 9. Section 34(1) and (2). Sections 35 and 36. Section 37(3). Schedule 2. In Schedule 4, paragraph 3. Part 1 of Schedule 7. In Part 3 of Schedule 7, the entries relating to — (a) section 2B of the Social Security Administration Act 1992; (b) section 72(3)(b) of the Welfare Reform and Pensions Act 1999; (c) paragraph 5A of Schedule 2 to the Social Security Act 1998; (d) the Employment Act 2002; (e) the Civil Partnership Act 2004.
Welfare Reform Act 2012 (c. 5)	Section 50(1). Section 52(2). Section 58(2). Section 59. Section 69. Section 105(5). Section 106(3).

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Section 111.

Section 130(7)(b) and (c).

In section 131—

- (a) in subsection (3), “or housing benefit” in all three places;
- (b) in subsection (7)(a)(i), the words from “or a person engaged” to the end;
- (c) in subsection (9)(a)(i), the words from “or a person engaged” to the end;
- (d) subsection (11)(d) to (f);
- (e) in subsection (12), the definition of “person engaged in the administration of housing benefit”.

In Schedule 7, paragraphs 3 and 10(2).

In Schedule 9, paragraphs 18, 22, 26 and 27.

In Schedule 11, paragraphs 12 to 14.

In Schedule 12, paragraph 5.

## PART 2

### ENTITLEMENT TO JOBSEEKER'S ALLOWANCE WITHOUT SEEKING EMPLOYMENT

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Welfare Reform Act 2009 (c. 24)	<p>Section 4(2)(a), (3) and (4).</p> <p>Section 8(2)(b).</p> <p>In section 32(2), in the inserted section 20E of the Jobseekers Act 1995—</p> <ul style="list-style-type: none"> <li>(a) subsection (1) (a) to (c);</li> <li>(b) in subsection (2)(c), “or 18A”;</li> <li>(c) subsection (2)(d);</li> <li>(d) in subsection (3)(a), “11A, 11C,” and “or 18B”;</li> <li>(e) in subsection (4)(a), “11A”.</li> </ul> <p>In section 32—</p> <ul style="list-style-type: none"> <li>(a) in subsection (3)(e), the words from “as” to “Act”;</li> <li>(b) in subsection (3)(f), the words from “as” to “Schedule”;</li> <li>(c) subsection (5).</li> </ul> <p>Schedule 1.</p> <p>In Part 3 of Schedule 7, the entries relating to—</p> <ul style="list-style-type: none"> <li>(a) sections 15A and 17A(1) of the Jobseekers Act 1995;</li> <li>(b) paragraphs 2(2), (3) and (4)(b), 3, 4(1), 12 and 13 of Schedule 7 to the Welfare Reform and Pensions Act 1999;</li> </ul>

*Status: Point in time view as at 15/04/2013.*

*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)*

(c) paragraph 12(2) of Schedule 3 to the Welfare Reform Act 2007.

### PART 3

#### JOBSEEKER'S ALLOWANCE: RESPONSIBILITIES FOR INTERIM PERIOD

##### Commencement Information

**1153** Sch. 14 Pt. 3 in force at 22.10.2012 for specified purposes by S.I. 2012/2530, art. 2(2)(g)

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Jobseekers Act 1995 (c. 18)	Section 8(2)(ca) and (d), (2A) and (3). Section 17A(5)(d) to (f) and (6) to (9). Section 20(4) to (6). Sections 20A and 20B. In section 35(1), the definition of “jobseeker's agreement”.
Social Security Act 1998 (c. 14)	In Schedule 7, paragraph 141.
Welfare Reform and Pensions Act 1999 (c. 30)	In Schedule 7, paragraphs 12 and 13. In Schedule 8, paragraph 29(5).
Welfare Reform Act 2009 (c. 24)	Section 1(4) and (5). Section 25. Section 32(3)(e) and (f) and (4). Section 33. In Part 3 of Schedule 7, the entries relating to sections 8(3) and 9(13).
Criminal Justice and Licensing (Scotland) Act 2010 (asp 13)	In Schedule 2, paragraph 38.

VALID FROM 29/04/2013

### PART 4

#### JOBSEEKER'S ALLOWANCE: RESPONSIBILITIES AFTER INTRODUCTION OF UNIVERSAL CREDIT

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Social Security Administration Act 1992 (c. 5)	Section 71ZH(1)(b) (as inserted by section 105 of this Act).

*Status: Point in time view as at 15/04/2013.*

*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)*

Jobseekers Act 1995 (c. 18)	<p>Section 17A, so far as not otherwise repealed.</p> <p>Section 17B.</p> <p>Sections 19 to 19C (as substituted by section 46(1) of this Act).</p> <p>Section 20(1) to (3), (7) and (8).</p> <p>Section 20E, so far as not otherwise repealed.</p> <p>Section 22(2).</p> <p>In section 35(1)—</p> <ul style="list-style-type: none"> <li>(a) in the definition of “employment”, “except in section 7”;</li> <li>(b) the definitions of “employment officer” (as inserted by section 44(5) of this Act) and “jobseeker's direction” (as inserted by Schedule 7 to this Act);</li> <li>(c) the definition of “training”.</li> </ul> <p>Section 36(1A) (as inserted by Schedule 7 to this Act) and (4A).</p> <p>In section 37(1)—</p> <ul style="list-style-type: none"> <li>(a) in paragraph (a)(i), “6, 7”;</li> <li>(b) paragraph (ab) (as inserted by section 46(2) of this Act).</li> </ul> <p>In Schedule 1, paragraph 8B.</p>
Social Security Act 1998 (c. 14)	<p>In Schedule 3, paragraph 8 (and the preceding heading).</p> <p>In Schedule 7, paragraphs 134 and 135.</p>
Welfare Reform Act 2009 (c. 24)	<p>Section 1(1) to (3).</p> <p>Section 29.</p> <p>Section 32(1) to (3).</p>
Welfare Reform Act 2012 (c. 5)	<p>Section 44(3) to (5).</p> <p>Section 45.</p> <p>Section 46(1) and (2).</p> <p>In Schedule 7, paragraphs 2, 4, 5, 7, 8, 9, 10(1) and (3), 11, 14 and 16.</p>

*Status: Point in time view as at 15/04/2013.*

*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)*

VALID FROM 29/04/2013

## PART 5

### EMPLOYMENT AND SUPPORT ALLOWANCE: RESPONSIBILITIES AFTER INTRODUCTION OF UNIVERSAL CREDIT

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Welfare Reform Act 2007 (c. 5)	Section 1C (as inserted by section 54 of this Act). Section 16A (as inserted by section 56 of this Act). Section 24(3A) and (3B). Section 26(1)(b).
Welfare Reform Act 2009 (c. 24)	Section 3(3) to (5). Section 8, so far as not otherwise repealed. Section 10.
Welfare Reform Act 2012 (c. 5)	Section 54(3) to (5). Sections 55 and 56. Section 58(1) and (3).

## PART 6

### CLAIMANTS DEPENDENT ON DRUGS ETC

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Jobseekers Act 1995 (c. 18)	In section 36(4A)(a) and (b), “or Schedule A1”. In section 37(1)(c), “, any paragraph of Schedule A1”. In Schedule 1, in paragraph 19 “(other than paragraph 8 of Schedule A1)”.
Social Security Act 1998 (c. 14)	In Schedule 3, in paragraph 3(da), “, or Schedule A1 to,”.
Welfare Reform Act 2007 (c. 5)	In section 16— (a) subsection (1)(d) to (f); (b) in subsections (2)(a) and (3)(a), “or Schedule 1A”. In section 25(6), “or Schedule 1A”. Section 26(1)(d). In Schedule 2— (a) in paragraph 10A(1), “or Schedule 1A”;

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*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)*

	(b) in paragraph 12, paragraph (ca) (but not the final “or”);
	(c) in paragraph 13, “, or under any paragraph of Schedule 1A other than paragraph 8,”.
Welfare Reform Act 2009 (c. 24)	In section 32, in the section 20E to be inserted into the Jobseekers Act 1995—
	(a) subsection (1)(d) to (f);
	(b) in subsections (3)(a) and (4)(a), “or Schedule A1”.
	In Schedule 7, in Part 3, the entry relating to Schedule A1 to the Jobseekers Act 1995.

PROSPECTIVE

## PART 7

### INDUSTRIAL INJURIES ARISING BEFORE 5 JULY 1948

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Pneumoconiosis etc (Workers' Compensation) Act 1979 (c. 41)	In section 2—
	(a) in subsection (2)(b), the words from the beginning to “disease, or“;
	(b) in subsection (3), in the definition of “death benefit”, the words “ “death benefit” means” and the words from “death benefit under” to the end;
	(c) in subsection (3), in the definition of “disablement benefit”, the words “or paragraph 4 of Schedule 8 to the Social Security Contributions and Benefits Act 1992”.
Social Security Administration Act 1992 (c. 5)	Section 164(4) and (5).
	In section 166(1)(b), the words “(except Part 1 of Schedule 8)”.
	Section 185.
	Section 188(3).
	In section 191, in the definition of “industrial injuries benefit”, the words “other than under Schedule 8”.
	Schedule 9.
Social Security (Consequential Provisions) Act 1992 (c. 6)	In Schedule 2, paragraph 55(1)(b) and (2)(b).
Social Security (Incapacity for Work) Act 1994 (c. 18)	In Schedule 1, paragraph 42.
Civil Partnership Act 2004 (c. 33)	In Schedule 24, paragraph 53.



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## PART 8

### SOCIAL FUND: ENDING OF DISCRETIONARY PAYMENTS

#### Commencement Information

**I154** Sch. 14 Pt. 8 in force at 1.4.2013 for specified purposes by S.I. 2012/3090, art. 2(1)(d) (with art. 3)

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Parliamentary Commissioner Act 1967 (c. 13)	In Schedule 2, the entry relating to the social fund Commissioner.
Superannuation Act 1972 (c. 11)	In Schedule 1, the entry relating to the Office of the social fund Commissioner for Great Britain.
House of Commons Disqualification Act 1975 (c. 24)	In Schedule 1, in Part 3, the entry relating to the social fund Commissioner.
Social Security Contributions and Benefits Act 1992 (c. 4)	In section 138— (a) in subsection (1), the “and” preceding paragraph (b); (b) subsections (3) and (5). Sections 139 and 140.
Social Security Administration Act 1992 (c. 5)	Section 12. Section 71ZA. Section 78(1) to (3E) and (5) to (9). Section 168. In Schedule 4, in Part 1— (a) the heading “The Social Fund”; (b) under that heading, the entries relating to the social fund Commissioner, a social fund inspector and a member of any staff employed in connection with the social fund.
Jobseekers Act 1995 (c. 18)	Section 32(2). In Schedule 2, paragraph 51.
Social Security Act 1998 (c. 14)	Section 8(1)(b) (but not the “and“ following it). In section 9(1), “Subject to section 36(3) below,”. In section 10(1), “and section 36(3)”. Sections 36 to 38. Section 70(2). Section 71. Section 75. In Schedule 7, paragraphs 72, 73 and 103.

*Status: Point in time view as at 15/04/2013.*

*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)*

Freedom of Information Act 2000 (c. 36)	In Schedule 1, in Part 6, the entry relating to the social fund Commissioner appointed under section 65 of the Social Security Administration Act 1992.
Civil Partnership Act 2004 (c. 33)	In Schedule 24, paragraph 61.
Welfare Reform Act 2007 (c. 5)	Section 54(a). In Schedule 7, paragraphs 2(3), 3(4) and (5) and 4.
Welfare Reform Act 2012 (c. 5)	Sections 71 and 72. Section 106(2) and (4).

PROSPECTIVE

## PART 9

### DISABILITY LIVING ALLOWANCE

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Transport Act 1982 (c. 49)	Section 70(2)(a)(iA).
Child Support Act 1991 (c. 48)	In section 8(8)(a), the words “or a disability living allowance.”
Social Security Contributions and Benefits Act 1992 (c. 4)	Section 30B(4)(b). Section 64(1A)(b). In section 150(2), paragraph (b) of the definition of “attendance allowance”.
Social Security Administration Act 1992 (c. 5)	In section 150— (a) subsection (1)(b), and (b) in subsection (3)(b), the word “(b),”. In Schedule 7, paragraph 1.
Finance Act 1994 (c. 9)	In paragraph 3(4)(b) of Schedule 7A, the words “section 71 of the Social Security Contributions and Benefits Act 1992 or”.
Value Added Tax Act 1994 (c. 23)	In Part 2 of Schedule 7A, in sub-paragraph (2)(b) of note 6 to Group 3, the words “Part III of the Contributions and Benefits Act or”. In Part 2 of Schedule 8, in paragraph (a) of note (7) to Group 12, the words “section 71 of the Social Security Contributions and Benefits Act 1992, or”.
Social Security (Recovery of Benefits) Act 1997 (c. 27)	In Schedule 2, in the second column of the table— (a) the entry for the care component of disability living allowance; (b) the entry for the mobility component of disability living allowance.

*Status: Point in time view as at 15/04/2013.*

*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)*

Social Security Act 1998 (c. 14)	In Schedule 3, paragraph 3(b).
Welfare Reform and Pensions Act 1999 (c. 30)	Section 67.
Immigration and Asylum Act 1999 (c. 33)	Section 115(1)(d).
Capital Allowances Act 2001 (c. 2)	Section 268D(2)(a)(i).
Social Security Fraud Act 2001 (c. 11)	In section 6A(1), paragraph (d) of the definition of “sanctionable benefit”.
Income Tax (Earnings and Pensions) Act 2003 (c. 1)	In section 677(1), in Part 1 of Table B, in the entry relating to disability living allowance, the words “SSCBA 1992 Section 71” (in the second column).
National Health Service (Consequential Provisions) Act 2006 (c. 43)	In Schedule 1, paragraph 145.
Welfare Reform Act 2007 (c. 5)	Sections 52, 53 and 60(2). In Schedule 7, paragraph 2(2).
Pensions Act 2007 (c. 22)	In Schedule 1, paragraph 42.
Welfare Reform Act 2009 (c. 24)	Section 14.

PROSPECTIVE

## PART 10

### POWERS TO REQUIRE INFORMATION RELATING TO CLAIMS AND AWARDS

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Social Security Administration Act 1992 (c. 5)	Section 126A.
Social Security Administration (Fraud) Act 1997 (c. 47)	Section 11.
Social Security Act 1998 (c. 14)	Section 22(4). Section 74.
Welfare Reform and Pensions Act 1999 (c. 30)	In Schedule 8, paragraph 34(2)(c).
Welfare Reform Act 2007 (c. 5)	Section 48(4).

*Status: Point in time view as at 15/04/2013.*

*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)*

## PART 11

### RECOVERY OF BENEFIT PAYMENTS

#### Commencement Information

**I155** Sch. 14 Pt. 11 in force at 1.4.2013 for specified purposes by S.I. 2013/358, art. 4(1)

#### *Short title and chapter*

#### *Extent of repeal*

Social Security Administration Act 1992 (c. 5)

In section 71—

- (a) subsection (7);
- (b) in subsection (8), “or (7)”;
- (c) subsections (10A) and (10B);
- (d) subsection (11)(aa) and (ac).

PROSPECTIVE

## PART 12

### LOSS OF BENEFIT: CAUTIONS

#### *Short title and chapter*

#### *Extent of repeal*

Social Security Administration Act 1992 (c. 5)

In section 115C(1)(d) (as inserted by section 116 of this Act) “or cautioned”.

In section 115D(1)(c) and (2)(c) (as inserted by section 116 of this Act) “or cautioned”.

Social Security Fraud Act 2001 (c. 11)

In section 6B—

- (a) in subsection (11A)(c), “or (c)”;
- (b) in subsection (13), the words from “or the caution” to the end.

In section 6C, subsection (4)(a)(ii) and the preceding “or”.

In sections 8(8)(a) and 9(8)(a), “or M being cautioned in relation to the offence to which the old agreement relates”.

In section 13, the definition of “cautioned”.

State Pension Credit Act 2002 (c. 16)

In Schedule 2, paragraph 49.

Tax Credits Act 2002 (c. 21)

In section 36A (as inserted by section 120 of this Act)—

- (a) in subsection (7)(c) “or (c)”;
- (b) in subsection (10), in the definition of “disqualifying event”, paragraph (c).

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	In section 36B (as so inserted), subsection (4)(a)(ii) and the preceding “or”.
	In section 67, the definition of “cautioned”.
Welfare Reform Act 2012 (c. 5)	Section 120(5).

### PART 13

#### INFORMATION-SHARING BETWEEN SECRETARY OF STATE AND HMRC

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Social Security Administration Act 1992 (c. 5)	In section 121E— (a) in subsections (2) and (2ZA), the words “subject to subsection (2A),”, “social security,” and “or employment or training”; (b) subsection (2A). In section 121F— (a) in subsections (1) and (1A), the words “social security,” and “or employment or training”; (b) in subsection (2), “(subject to subsection (2A))”; (c) subsection (2A). Sections 122 and 122ZA.
Finance Act 1997 (c. 16)	Section 110.
Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2)	In Schedule 6, paragraphs 2 and 10.
Tax Credits Act 2002 (c. 21).	In Schedule 5— (a) in paragraph 4(2) “social security or”; (b) paragraph 4(3) (c) in paragraph 4(3A) “social security”; (d) in paragraph 4(3B), “social security or”; (e) in paragraph 4(4), “(3) and”; (f) in paragraph 6(1), “social security”; (g) in paragraph 6(1A), “social security”; (h) in paragraph 6(3) “social security or”; (i) paragraph 12(a).
Employment Act 2002 (c. 22)	In Schedule 6, paragraphs 5, 6, 11(b) and 13(b) and (c). In Schedule 7, paragraph 50.
Commissioners for Revenue and Customs Act 2005 (c. 11)	In Schedule 4, paragraph 45.
Work and Families Act 2006 (c. 18)	In Schedule 1, paragraph 45.
Welfare Reform Act 2007 (c. 5)	In Schedule 3, paragraph 10(13).

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Child Maintenance and Other In Schedule 7, paragraph 2(4) and (6).  
Payments Act 2008 (c. 6)

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## PART 14

### STANDARDS OF DECISION-MAKING

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**Commencement Information**

**I156** Sch. 14 Pt. 14 in force at 8.5.2012 by S.I. 2012/863, art. 2(3)(j)

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***Short title and chapter***

***Extent of repeal***

Pension Schemes Act 1993 (c. 48)

In section 171A—

- (a) in subsection (2), paragraph (b) and the preceding “or”;
- (b) in subsection (3), “, or annexed to,”.

Child Maintenance and Other In Schedule 7, paragraph 3(3).  
Payments Act 2008 (c. 6)

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**Status:**

Point in time view as at 15/04/2013.

**Changes to legislation:**

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